

**Documentation  
Evidence  
Correspondence  
Complaints  
Letters  
E-Mails**

Lee Kent Hempfling  
PO Box 6932  
Apache Junction AZ 85278  
480-332-1535  
enticy@cox.net

213 Pages

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**U.S. Department of Justice**

**Federal Bureau of Investigation**

In Reply, Please Refer to  
File No.

Columbia, SC 29210-3857  
March 12, 2004

Lee Kent Hempfling  
P.O. Box 6932  
Apache Junction, AZ 85278

Dear Mr. Hempfling:

I have received the communications you sent via facsimile to the Federal Bureau of Investigation (FBI) on March 10, 2004.

In order for the FBI to initiate an investigation of any complaint we receive, specific facts must be present to indicate that a violation of federal law within our investigative jurisdiction has occurred. As you will recall, in 2002, you provided similar information to our office and were advised that this matter did not warrant investigation by the FBI. Unfortunately, the additional information you provided on March 10, 2004, failed to convince me that our earlier decision was made in error. Additionally, it would appear that your complaints are being addressed by the Equal Employment Opportunity Commission and, possibly, by the Federal Communications Commission. Therefore, I regret that we are unable to provide any assistance to you.

You may, however, wish to consult an attorney of your own choice to determine what, if any, legal options you may have concerning this matter. If you do not have an attorney, you may want to contact your local chapter of the American Bar Association or Legal Aid Society for possible assistance.

Sincerely,

*Thomas E. O'Neill*  
Thomas E. O'Neill  
Chief Division Counsel



**U.S. Department of Justice**

**Civil Rights Division**

ANM:amc:mjp  
DJ 144-67-0

*Criminal Section - PHB  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530*

FEB - 2 2004

Mr. Lee Kent Hempfling  
P.O. Box 6932  
Apache Junction, AZ 85278

Dear Mr. Hempfling:

This is in response to your letter dated January 13, 2004, in which you allege that several government and non-governmental organizations, as well as individual persons, have been involved in an extensive conspiracy to obstruct justice. Specifically, you cite the EEOC and the FCC as potential suspects.

The Criminal Section of the Civil Rights Division at the Department of Justice is responsible for investigating and prosecuting criminal conduct involving deprivations of rights. In general, these matters include acts involving racial or religious violence, misconduct by local and federal law enforcement officials, violation of peonage and involuntary servitude statutes, and violence against reproductive health care facilities.

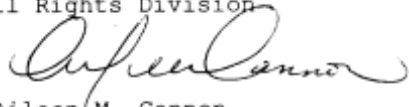
We have carefully reviewed the information which you furnished. However, we have determined that your complaint does not involve a prosecutable violation of federal criminal civil rights statutes. Accordingly, we are unable to assist you.

You may wish to contact the nearest legal aid program or the local bar association to determine whether they may be able to assist you.

Sincerely,

Albert N. Moskowitz  
Section Chief  
Criminal Section  
Civil Rights Division

By:

  
Aileen M. Cannon  
Paralegal Specialist  
Criminal Section



Office of  
Field Programs

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Washington, D.C. 20507**

**FEB 06 2004**

Mr. Lee Kent Hempfling  
PO Box 6932  
Apache Junction, Arizona 85278

Dear Mr. Hempfling:

Thank you for your letter of January 13, 2004, to Chair Cari M. Dominguez concerning your charge of employment discrimination filed with the Equal Employment Opportunity Commission (EEOC) against LM Communications, Inc. (Charge No. 140-2002-01867). This office has been asked to respond directly to you.

In your correspondence, you raise concern about the time it is taking for the processing of your charge of discrimination filed with the EEOC Charlotte District Office. We understand your concern, and regret any inconvenience you may have experienced. To ensure that the EEOC's limited resources are used in the most efficient manner possible to eliminate employment discrimination, EEOC staff carefully evaluate each charge to determine the priority it will receive, both at the time of filing and while the case remains open. The information that you provided at the time the charge was filed played an important role in determining the priority and time frame for processing the charge.

We have entered into discussion with our Charlotte office and learned that an on-site visit has been scheduled for the week of February 9, 2004. We wish to assure you that the processing of your charge will be completed as soon as possible. Mr. Billy Sanders will contact you soon. If you wish, you may contact him directly at (704)344-6735. Your continued patience and cooperation are appreciated.

We hope this information is helpful to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia G. Pierre".

Cynthia G. Pierre, Director  
Field Management Programs

cc: Reuben Daniels, Jr., Director  
Charlotte District Office



U.S. Department of Justice

*United States Attorney*

*District of South Carolina*

Wachovia Building  
Suite 500  
1441 Main Street  
Columbia, SC 29201  
(803) 929-9000  
FAX (803) 254-2943

151 Meeting Street  
Suite 200  
Post Office Box 978  
Charleston, SC 29402  
(843) 727-4381  
FAX (843) 727-4443

John L. McMillan Federal  
Building, Room 222  
401 W. Evans Street  
Post Office Box 1567  
Florence, SC 29503  
(843) 665-6688  
FAX (843) 678-8809

105 N. Spring Street  
Suite 200  
Post Office Box 10067  
Greenville, SC 29603  
(864) 282-2100  
FAX (864) 233-3158

Reply to: Columbia

February 9, 2004

Mr. Lee Kent Hempfling  
Post Office Box 6932  
Apache Junction, Arizona 85278

Dear Mr. Hempfling:

I am in receipt of your letter and complaint forwarded to United States Attorney J. Strom Thurmond, Jr. on January 13, 2004. United States Attorney Thurmond asked me to follow up on your recent phone call regarding the status of your complaint and whether or not your allegations were being investigated. This office does not investigate allegations of criminal conduct. The crimes which you have alleged are investigated by the Federal Bureau of Investigation (FBI). This office is responsible for the prosecution of federal cases after they have been investigated by federal agencies and found to have prosecutive merit. I have not forwarded your complaint to the Federal Bureau of Investigation because your complaint states that you have already submitted it to that agency (through Director Mueller). However, by copy of this letter I am informing Tom O'Neill, Chief Division Counsel for the FBI in South Carolina of your continued interest in having this matter investigated. If his office has not received the copy of the complaint you sent to Director Mueller I will be happy to furnish him with a copy.

Sincerely,

J. STROM THURMOND, JR.  
UNITED STATES ATTORNEY


By: Nancy C. Wicker

Nancy C. Wicker

Assistant United States Attorney  
1441 Main Street, Suite 500  
Columbia, South Carolina 29201

cc: Tom O'Neill



CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA	140A201867
		<input checked="" type="checkbox"/> EEOC	
South Carolina Human Affairs Commission <small>State or local Agency, if any</small>		and EEOC	
NAME (Indicate Mr., Ms., Mrs.)		HOME TELEPHONE (Include Area Code)	
Lee Kent Hempfling		843-327-1996	
STREET ADDRESS CITY, STATE AND ZIP CODE		DATE OF BIRTH	
53 Muirfield Parkway, Charleston S.C. 29414		09/09/52	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include Area Code)	
L.M. Communications Inc.	15+	843-769-4799	
STREET ADDRESS CITY, STATE AND ZIP CODE		COUNTY	
59 Windemere Parkway, Charleston S.C. 29407		Charleston	
NAME		TELEPHONE NUMBER (Include Area Code)	
STREET ADDRESS CITY, STATE AND ZIP CODE		COUNTY	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE EARLIEST (ADEA/EPA) LATEST (ALL)	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		07/24/2002 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
I. My date of birth is 9/9/1952 and I am currently 49 years of age. I was hired by L.M. Communications Inc., [inc.] on 1/25/2002 and started work on 2/4/2002. I was was told I was discharged for "poor performance of the station" on 7/23/2002.			
II. I was subjected to discriminatory terms and conditions of employment, harassed, denied employment, subjected to a hostile religious and retaliatory work environment and discharged from my full time position because of retaliation for my attempt to offer equal employment ability in hiring of minorities, (cont.)			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements)	
		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
I declare under penalty of perjury that the foregoing is true and correct. SIGNATURE OF COMPLAINANT			
		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE	
Date: 8-29-02	Charging Party (Signature) 		(Day, month, and year)
EEOC FORM 5 (Test 10/94)			

Charge No. 140A201867

177-B

Complaint of Lee Kent Hempfling  
53 Muirfield Parkway, Charleston S.C. 29414 843-327-1996

FORM 5 (Test 10/94)

Continuation of Particulars: Lee Kent Hempfling

... complaining about the refusal of management to consider minorities for full time positions and objecting to and requesting management's intervention to stop harassment directed at me in the workplace and out of the workplace which "contributed to the hostile environment" experienced at work in violation of Title VII of the Civil Rights Act of 1964, as amended.

## A: Retaliatory Intimidation I was subjected to included:

- 1: Threatening emails while employed.
- 2: Threatening email after discharge.
- 3: Threatening anti-Semitic terrorist photo sent in email.
- 4: Refusal to permit the carrying out of my job responsibilities.
- 5: Blame for lost commercial revenue.
- 6: Sabotage of work performed.
- 7: Public humiliation and character assassination.
- 8: Humiliation to staff by management.
- 9: Attempts to trick me into violating corporate policy.
- 10: Sabotage of transmitter power to damage performance.
- 11: Sabotage of station audio processing to damage performance.
- 12: Sabotage of program elements for my morning show.
- 13: I AND my wife were ordered not to access any phone number in the Lexington KY area code.
- 14: Refusal to permit work tools. (Supplied after I was discharged.)
- 15: Called a liar repeatedly.
- 16: Insulted continuously behind my back.
- 17: Ignoring every instance reported by me of alleged illegal activity.
- 18: Receipt of edited audio music file obviously claiming responsibility for my discharge. (Attached in packet on a CD)
- 19: Equipment was damaged.
- 20: Notices of unsafe working conditions were ignored.
- 21: Music scheduling software was tampered with.
- 22: Attack continued after employment.
- 23: Penalized for wanting to improve the midday show ~~by~~ reducing the show to part time if I wanted to replace the current staff member.
- 24: Rumors and innuendos.
- 25: Threatened with legal action.
- 26: Refusal to repair equipment.
- 27: Replacing equipment with inferior parts.
- 28: Hatred for 'black' music.
- 29: Branded a 'complainer'.

SEP -4 P 3:43

SEP 10 2010  
10:00 AM  
FBI

Charge No. 140A201867

177-C

Complaint of Lee Kent Hempfling  
53 Muirfield Parkway, Charleston S.C. 29414 843-327-1996

- 30: Intimidation of new employee before starting date.
- 31: Software was deleted from production equipment.
- 32: Given a broken 'boom box' to suffice for an aircheck machine.
- 33: Retaliation for stopping 'Plugola' on the air.
- 34: Continual reference to changing format.
- 35: Phone call from engineer yelling about a memo I was told to write asking for his help in changing microphones.
- 36: Show prep stolen from my desk.
- 37: Equipment in my desk was damaged.
- 38: Given a non-working phone for my desk.
- 39: Ethics questioned.
- 40: Interruptions on the 'hotline' while doing my show.
- 41: Tampering with the station's Legal ID.
- 42: Given worst computer in the building for my desk.
- 43: Degradation of my wife for having spoken to Lynn Martin.

II: The reason I was given for discharge was "poor performance of the station" however the Arbitron ratings results for the period in question showed "significant gains" according to Mindy Spar, entertainment writer for the Charleston Post & Courier and the ratings (attached) for May-June-July 2002 show an increase from Spring 12+ 2.8 to 3.4 tied with WCOO sister station WYBB. I tried repeatedly to hire a minority person full time but was forced out of my employment for doing so. The attached May-June-July ratings indicate a partial period where low power of the transmitter was not evident.

III: I believe I have been discriminated against because of my religion, Jewish, and in retaliation for complaining about discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended.

IV: At-Will employment does not apply as an implied contract was in force.

V: Furthermore, the company discriminates against Blacks as a class relative to hiring, job assignments, wages, promotions, transfers, discipline and discharge and discriminates against those who object to such actions and discriminates against those who attempt to correct such actions.

02 SEP -4 P 3:43

RECEIVED  
OFFICE OF  
CHARLESTON, SC

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
		_____ and EEOC <i>State or local Agency, if any</i>	
NAME <i>(indicate Mr., Ms., Mrs.)</i> Ms Patricia Thompson		HOME TELEPHONE <i>(Include Area Code)</i> (843) 553-0206	
STREET ADDRESS CITY, STATE AND ZIP CODE P. O. Box 756 Goose Creek, South Carolina 29445		DATE OF BIRTH	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME <i>(If more than one list below.)</i>			
NAME LM Communications Inc.		NUMBER OF EMPLOYEES, MEMBERS 15+	TELEPHONE <i>(Include Area Code)</i> (843) 769-4799
STREET ADDRESS CITY, STATE AND ZIP CODE 59 South Windermere Blvd. Charleston, South Carolina 29407		COUNTY	
NAME		TELEPHONE NUMBER <i>(Include Area Code)</i>	
STREET ADDRESS CITY, STATE AND ZIP CODE		COUNTY	
CAUSE OF DISCRIMINATION BASED ON <i>(Check appropriate box(es))</i>		DATE DISCRIMINATION TOOK PLACE <i>EARLIEST (ADEA/EPA)</i> <i>LATEST (ALL)</i>	
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER <i>(Specify)</i>		07/25/02 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE <i>(If additional paper is needed, attach extra sheets):</i>			
<p>I. I was subjected to discriminatory terms and conditions of employment, harassed, denied equal wages, subjected to a racially hostile work environment, denied full time employment, and forced to resign from my part time job because of my race, Black, and in retaliation for complaining about discrimination in the workplace in violation of Title VII of the Civil Rights Act of 1964, as amended.</p> <p>II. I have not been given a valid reason for the discrimination that I was subjected to however, despite my high ratings on the weekends the company would always fill their weekday slots with whites and never offer me the jobs. In fact a white manager tried to get them to hire me to a full time job and they refused and forced him out.</p> <p>III. I believe that I have been discriminated against because of my race, Black, and in retaliation for complaining about discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended.</p> <p>IV. Further, the company discriminates against Blacks as a class relative to hiring, job assignments, wages, promotions, transfers, discipline, and discharge.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - <i>(When necessary for State and Local Requirements)</i>	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date August 21, 2002 Charging Party <i>(Signature)</i> Patricia Thompson		SIGNATURE OF COMPLAINANT	
		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <i>(Day, month, and year)</i>	

LINDSEY O. GRAHAM  
SOUTH CAROLINA  
(202) 224-5972

## United States Senate

WASHINGTON, DC 20510

August 7, 2003

Mr. Lee Hempfling  
53 Muirfield Parkway  
Charleston, SC 29414

Dear Lee:

Thank you for your inquiry of recent date concerning your problem involving several federal agencies.

I am looking into this matter for you with the Director of EEOC in Greenville, and I will get back in touch with you just as soon as I have a response to my inquiry. Then, I will ask you to let me know if I should contact other agencies depending on the answer from EEOC.

If you have not heard from me after three weeks, please feel free to contact me again at 843-849-3887. I look forward to working with you.

Sincerely,



Lindsey O. Graham  
United States Senator

LOG/jp

LINDSEY O. GRAHAM  
SOUTH CAROLINA  
(202) 224-5972

United States Senate

WASHINGTON, DC 20510

October 29, 2003

Mr. Lee Kent Hempfling  
POB 6932  
Apache Junction, AZ 85278

Dear Mr. Hempfling:

Thank you again for contacting my office for assistance. Today the officials of the Equal Employment Opportunity Commission have notified me that additional contacts and information have been received from my office about your claim, and the case is pending investigation.

You may be assured of my continued interest in your case. I am working hard to see that your case is resolved in a timely manner. As soon as I receive additional information, I will let you know. I shall appreciate hearing from you that you received this mailing. Please telephone my office at 843-849-3887.

Sincerely,



Lindsey O. Graham  
United States Senator

LOG/jp

CARD GIVEN TO PATRICIA THOMPSON



UNITED STATES  
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
CHARLOTTE DISTRICT OFFICE

**BILLY C. SANDERS**  
PROGRAM MANAGER

129 W. TRADE STREET  
SUITE 400  
CHARLOTTE, NC 28202

FAX: (704) 344-6748

TEL: (704) 344-6735  
CELL: (704) 564-9464

*(704) 563-1677*

*Scheli & Grossman*

*Billy.Sanders@eeoc.gov*  
*Billy C. Sanders @ Att.net*

CARD GIVEN TO HEMPFING AT  
EMBASSY SUITES MEETING



UNITED STATES  
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
CHARLOTTE DISTRICT OFFICE

**BILLY C. SANDERS**  
PROGRAM MANAGER

129 W. TRADE STREET  
SUITE 400  
CHARLOTTE, NC 28202

FAX: (704) 344-6748  
E-MAIL: Billy.Sanders@eeoc.gov

TEL: (704) 344-6735  
CELL: (704) 564-9464



**February 28, 2002**

**Mr. Lee Kent  
Program Director  
WCOO-FM – COOL 105-5  
59 Windermere Blvd  
Charleston, SC 29407**

**Dear Mr. Kent:**

**I am writing this letter, first of all, to thank you for your professionalism, insight and words of wisdom, you have shared with me, as well as your vision for COOL 105-5.**

**I am certainly excited about watching your vision reach fruition. And, feel certain that your vision, is in great part my own! Regardless, of the capacity in which I realize this vision, as a working comrade for COOL 105-5, or as what I am naturally ... a demographic listener, I, sincerely, wish you and COOL 105-5 much success.**

**Secondly, as you are well aware, I have been contemplating for some time now to leave my employment with LM Communications, based on various professional reasons of which, some, I have shared verbally with you.**

**I had thought, the weekend of March 2<sup>nd</sup> and 3<sup>rd</sup>, would be my last weekend at COOL 105-5. However, our conversation on this Wednesday, has piqued my interest, I must confess. And, I do appreciate your sincerity in asking me to stay. Furthermore, I must reiterate, that my decision to leave was made, and based solely on numerous events, prior to your arrival to COOL 105-5.**

**At this juncture, and after much consideration regarding our discussion on Wednesday, it would take the following from LM Communications – WCOO, to start emptying my cup of over-fullness, thereby, causing me to re-consider my previous decision and stay with COOL 105-5 in sincere effort to help reach the vision together:**

**A specific raise to at least \$10 an hour while in continued part-time status (inclusive of my previous generic request for “just a raise” the month of my one-year anniversary with LM Communications, in October 2001, of which I was lead to believe would be forthcoming and has not yet been received!).**



And, certainly more than equal to that of my radio comrades that have become employed or re-employed by WCOO after me, which is all of the staff currently employed under WCOO. I too, was not entry level when I started with LM Communications, having worked in radio prior in the Charleston market at WWVZ & WMGL between 1995 and 1997. And, I have proven myself in ratings during periods that have not been interfered by Citadel football on Saturday afternoons or the frequency change over the Summer 2001.

Also, if consideration is given to me, in the future, for a full-time or specific weekday day-part, I would expect a "true salary" to be negotiated at that time.

Additionally, I will need the weekend of Saturday, March 9<sup>th</sup> and Sunday, March 10<sup>th</sup> off.

Saturday, March 9<sup>th</sup>, is the long awaited Charleston's Promise Children's Festival and Turbo Turtle Race at Brittle Bank Park. I have labored long, tenaciously and diligently, for well over a year, in effort to do my part in helping Charleston's Promise plan this event for the children of the LowCountry and for it to be a pleasurable memory, for all, in years to come.

At the same time, I have continued to promote COOL 105-5 in the community in a positive manner, regardless of the outcome, any acknowledgement and support, or lack there of, from my peers and LM Communications.

On Sunday, March 10<sup>th</sup>, as I have previously indicated, my son is receiving the Statewide 4-A Football Player of the Year Award in Columbia at a banquet that begins at 2pm. I plan on traveling to Columbia, Saturday evening after the children's festival.

Thirdly, regardless of the outcome of the aforementioned, I trust we can and will still work together for Charleston's Promise, as well as on other promotional endeavors. I still look forward to working with you and Mr. Brown's agent, perhaps as a consultant/liaison.

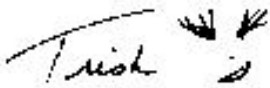
Lee, I have enjoyed the opportunity to work with you for this short time in the field in which I choose to major in college, Mass Communications - Radio/TV Broadcasting (Radio Concentration). Thanks for your mentoring!

Finally, I hope that we can reach an amicable resolution for all parties concerned. If my specific requests cannot be met at this time, then please accept this as my *formal Letter of Resignation*, because I am seriously feeling the infamous words of one of the greatest rhythm & blues artist ... B.B. King ... "The thrill is gone!" (smile)

**And Lee, should this not work out at this particular time, PLEASE, keep me in YOUR mind for any future endeavors or opportunities that you know I would be well suited for.**

**The quality and work ethic you desire is in the character of the individual; the commitment you seek comes from the heart, as I remain ...**

**Respectfully,**



**Patricia Thompson  
(843) 824-8761**



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Charlotte District Office**

129 West Trade Street, Suite 400  
Charlotte, NC 28202  
(704) 344-6000  
TTY (704) 344-6004  
FAX (704) 344-6733 & 6731

October 17, 2002

Mr. Lee-Kent Hempfling  
53 Muirfield Parkway  
Charleston, SC 29414

RE: EEOC Charge No. 140A201867

Dear Mr. Hempfling:

Enclosed is a copy of your charge of discrimination which has been assigned the above-referenced number. If you need to write or contact the Charlotte District Office regarding your charge, please use the charge number which has been assigned.

Equal Employment Opportunity Commission  
Charlotte District Office

Enclosure: EEOC Form 5

**March 9, 2002**

**Mr. Lynn Martin, Owner  
LM Communications, Inc.  
PO Box 11788  
Lexington, KY 40578**

**Dear Mr. Martin,**

**Greetings! I hope all is well with you.**

**In case you are not aware, I am writing to formally inform you of my resignation from WCOO/COOL 105-5 radio station and your employee as of Wednesday, March 6, 2002.**

**I'd like to assure you that my reasons to leave have absolutely nothing to do with the arrival of Mr. Lee Kent as the new Program Director (PD) for COOL 105-5. In fact, hiring Mr. Kent is probably the BEST decision that your organization has made in regard to personnel matters, in quite some time.**

**I am certain that through his professional leadership, Mr. Kent will accomplish great things for both COOL 105-5 and LM Communications.**

**It is already evident that Mr. Kent is truly a radio professional and I am confident he will clean up what has become a very unprofessional and unorthodox work environment in the COOL 105-5 Programming department. It's about time someone put a stop to the nonsense.**

**To my dismay, Mr. Kent has arrived a few months too late for me to continue to endure, while he makes the necessary adjustments. However, I am grateful to have worked with him the short time I have and appreciate his mentoring.**

**However, what occurred prior to Mr. Kent's arrival is why I have resigned.**

**And, I am sure, you are not aware of the reasons why I have decided to leave. So, to distinguish the common place gossip of people who think they know what they don't know, I am providing you with my reasons, so there will be no mistake, confusion or misunderstanding in this regard.**

**Additionally, I am in the process of seeking counsel and advisement as to possible EEO violations and/or other violations as they pertain to FCC violations and business operational violations per the Secretary of State for the State of South Carolina, who grants businesses permission and licenses to operate in our State.**

**The reasons are as follows:**

**During my tenure with WCOO/COOL 105, in the Programming department, beginning October 2000 – March 2002, I was the only African-American female and Disabled Veteran in the department, working only on Saturday and Sunday.**

**Upon the departure of PD-Ken Carson, in February 2001, Ken informed me that I possessed the voice and personality of what COOL 105 needed. Additionally, based on my performance, if the “powers that be” listened to him, I should be going places within the Programming department very soon.**

**After approximately 5 months of doing weekends, the midday position became available shortly after our new PD-Mike Allen arrived. Based on my previous radio experience and college education in radio/TV broadcasting (radio concentration), and Ken Carson's remarks prior to his departure, I thought, surly, I would, at least, be given first consideration and/or offered the opportunity to accept or deny the midday position. But, I was not.**

**And, when I inquired as to why I was not, I was told that because I already had a full time job, paying more than what I could be offered by the radio station, it was assumed that I would not be interested in the position.**

**Additionally, I was told that Linda Logan (radio name), a former employee who had previously been fired/let go by Ken Carson, was being allowed to return to the midday position.**

**A few more months went by, and then the afternoon drive position became available. Again, I asked if I was being considered for this position. Again, I was told that the radio station could not afford to pay me any where near what they knew I was making at my, then, full time job.**

**At that time, I informed the PD-Mike Allen, that I felt I should, at least, be offered the position, and if it was something reasonable, even though it may be less than what I was making from my full time job, that I should be allowed to consider it and make that decision based on what I could or could not afford, not someone else's assumption on what I would or would not work for.**

**In retort to that, I was told that someone who had a lot of experience was being considered for the job. That person, as it turns out, was Skip St. John (radio name). Later Skip disclosed that the station was getting "a really good deal" by hiring him, because Skip who was disabled due to a previous stroke and rehabilitation, could not earn over a certain amount monthly (\$700 is what I recall as the figure that was used) in order for it not to affect his monthly disability.**

**All-the-while, I worked diligently and professionally, and tried to meet my personal goal of getting in the top five rating zone for the Charleston radio market, even if I was only working on Saturdays and Sundays, 3-7pm.**

**After all, as my letter of September 3<sup>rd</sup>, 2001, to you indicated (please see enclosure 1), I had already shown a considerable increase from the 2001 Fall book, over the 2001 Winter book to number six (5.9 share – 35-54 demo) and by the Spring Book, the ratings had increased to a number ONE (11.3 share) for Saturdays.**

***Furthermore, it was, and I believe it continues to be, the highest ranking EVER in ANY day part, since the inception of the COOL 105 format.***

**And, Sundays went from a tied third (6.5 share) to a number TWO (10.7 share) for 35-54 demographic. Persons 12+ on Saturday went from a six ranking to a three, and on Sunday went from a ten to a number four. Overall, all ratings increased for all demos and all were in the top five for both my day parts, Saturday and Sunday 3-7pm.**

**But, I soon began to believe that this great, *first*, accomplishment meant nothing to LM Communications. Especially after my year anniversary, when I asked if it would be possible to receive a raise, of which I was lead to believe it would be forthcoming, although it never did. Not even a bonus for a job well done!**

**Aside from the fact, that numerous people under your employee regard you as a cheap skating miser and speak of you terribly when you are not around, I was shocked to hear how your "valuable, high-rated employees" referred to you in that way ... but whenever issues about money came up, this is what you are called, or words to this effect.**

**The realization became even more painfully obvious when other part-timers were being hired at the same rate of pay that I had started and ended with, even though I had more experience and tenure with the radio station.**

**Furthermore, the so-called veteran radio announcers were:**

**Behaving unprofessionally; making numerous on-air mistakes; advertising their side businesses over the air and/or placing their side business in COOL Calendar promos updates; while music was playing you could hear them voice tracking over the music or having personal phone calls which went out over the air; among other chaotic activities, etc., it was very obvious that either no one was paying attention or this behavior was being condoned.**

**And, all because they were too lazy, or careless to pay attention to detail or too busy voice tracking what were supposed to be live air shifts which they were getting paid for as live air shifts, although they voice tracked the majority, if not all of their shifts. These were the same two air-shifts that I was not considered for as mentioned earlier.**



Eventually, I grew tired of being associated with a small group of small minded individuals, whom through their CLIQUE association with the General Manager and the like, were being allowed to perform substandard work; make numerous mistakes with no consequences; and use crutch excuses for their mistakes, while embarrassing and downgrading the true capability of what should have been an outstanding radio station, in all day parts, all the time.

I could no longer condone this callous, and inappropriate disrespect to my music or my profession. Additionally, I also, grew tired of being used. Used to fill in for the day parts I was not suitable enough to be considered for on a full time basis, but good enough to be a “fill-in” when the others were out on vacation for the holidays or whatever. During the holidays, I began to take my consideration of leaving the station more seriously.

Furthermore, it affected me because, I am of African-American descent and I viewed my position as an opportunity not just a job. An opportunity to prove that I was able and capable of bringing in high ratings, as well as being accepted in the community on many levels.

Over time, I began to feel and realize that African-Americans, in all capacities, are being cheated by a station that is using their musical roots for profit while ignoring their contributions in the community and professional sector.

Additionally, while sitting in staff meetings, out numbered by the majority, a comment of curiosity as to why I had attained such high ratings was tossed about. I took the opportunity and made the comment that I believed the station as a whole would receive increased ratings if air shift personnel stopped voice tracking their shifts all the time.

The general manager then implied that this was not a significant issue and had nothing to do with the ratings. Later, I wished I had of thought to say to him, if he truly believed that, then perhaps he should have no air shifts at all, perhaps even, he should go home and just let the station run itself. How much money would that save the station!?! (rhetorical)



**Later, I heard my fellow radio announcers complain about how they wished our format was more like Oldies 102.5; how they liked the “other” music much better; or how certain R&B songs got on their nerves, especially certain parts that were just nerve wrecking, or why didn’t we play more so-called, non-genre specific, beach music.**

**When I asked what defined “beach music,” it turns out to be genre specific oldies R&B, plain and simple. I guess “beach music” is considered a more acceptable term, rather than just saying oldies R&B.**

**Hearing these remarks offended me. To an African-American listener, and demographic listener, that certain part of the song was the heart and soul of the song for us! It irritated me to realize that these other announcers were not concerned, and did not care about the music or the African-American listeners. In fact on several occasions they indicated that if the music couldn’t be shagged to they didn’t care about it and weren’t that familiar with it anyway. Perhaps, in part, this is why the ratings continue to stagnate.**

**On several occasions, I asked friends to call in and request certain songs. Upon doing so, they were told the music was not available or that the station didn’t play that particular artist. When in actuality, the station did play the artist and the song. The particular announcer just was not familiar enough, did not like the artist/song or was just too lazy to bother to look for it. All three applied on a regular basis.**

**Which leads me to wonder, how a station that operates an urban R&B format and not have obvious, African-American representation, would ever expect to achieve higher ratings?**

**There are no sales associates that are African-American and now there are no African-Americans in the Programming department, either. The only full time African-American employed by the station is the receptionist.**

In realizing COOL 105-5 "uses" an urban R&B format for profit and to attract listeners, the majority of its listeners are African-American. And, no matter how much you try to close that gap, they will always be the majority of listeners in this case. In part, because the music being played is the foundation of the African-American soul and there's nothing anyone can do to change that, without changing the format completely.

My last straw came on December 30<sup>th</sup>, 2001. That's when upon arriving to the station at my usual time (30 mins before my air shift), I noticed that Linda Logan had not paid attention to the posted schedule or music log and voice tracked into my first hour.

When I arrived, Linda was at the station. However, upon noticing that she had voiced tracked into my first hour, I tried to find her to bring this to her attention, but she had left the building.

I then, as a professional courtesy, looked outside the building to see if I could catch her in the parking lot, she was gone. As another professional courtesy, I spoke with Michael Hanahan, from our sister station that was working in the production room, about the situation.

Together, Michael and I tried to find an out-break for Linda, which there was none, but there should have been. So, the only thing left to do was to announce her departure during my opening break. After doing so, I called Linda to inform her as to why I had done so. As I began to explain, Linda proceeded as follows:

**"Fuck you Trish!"** In effort to curb the tone of the conversation back to a professional one, I explained to Linda that I'd been starting on Sunday at 1pm for several weeks now and asked had she forgotten. Linda proceeded to be unprofessional, vulgar and nasty in tone by saying, **"You're so fucking greedy ... You want every fucking thing for yourself"** and then she hung up the phone.

I proceeded to call the PD-Mike Allen, and while waiting for him to come to the phone, realized he was on his cell phone with Linda. Mike and I spoke briefly and agreed I would come in early the next morning to discuss the situation with him further.

Upon doing so, I expressed, to Mike, my disgust with Linda and the remarks she had made. I asked Mike to inform Linda to keep her distance from me and not to say anything to me, at all, unless it was strictly professionally related, as Linda's remarks to me were unprofessional, unacceptable, unwarranted, unprovoked, and I would not tolerate them in the future.

Nor, would I accept the "I was frustrated or I didn't take my Prozac today" excuse because it was my belief Linda meant to say what she said, and obviously had been wanting to make the statements for a while now.

Mike also suggested that I not discuss this matter with anyone else. I informed him that I had already told Michael Hanahan, Ray, Bobby Collins, and Stevie Byrd the Sunday afternoon of the incident, and to Mr. French that Monday morning. Mike asked me not to talk to anyone else about it and that he would handle it.

My belief of Linda's true intent was further substantiated, on Wednesday, February 27<sup>th</sup>, after a meeting with the new PD-Lee Kent, Linda saw me in the hallway and asked if she could speak with me on the back stairs. This would be the first time we'd had a conversation since the December 30<sup>th</sup> incident.

During our conversation, Linda indicated to me that she'd heard I was thinking about leaving the station and wanted to ask me if I was sure about my decision because she'd hate for me to leave and be unhappy.

I assured Linda that whenever I decided to leave the station, I would not feel unhappy afterwards as I always have something positive to do. And, I further assured her that her unprofessional remarks to me earlier in the year was only a small factor in my decision to leave, and the only thing it did was cause me to decided to leave sooner than I had planned. Also, that the level of unprofessionalism displayed within the station and petty gossip and innuendo had set a negative tone to an environment I had once enjoyed being in.

Linda went on to state the she and some others at the station had felt, that I acted like I thought that I was "better than anybody else." I promptly informed Linda, that these thoughts are in her mind or whoever else's mind that wants to think about it. However, I did indicate that I do carry myself in a professional manner at all times and I take what I do professionally and personally very seriously.

Furthermore, I do not intend to "ever" lower my standards to fit in to a group that accepts substandard and any old excuse for being substandard will do ... as the "norm."

Nor, have I ever or would I ever treat anyone without dignity or respect, use vulgarities like they do on a consistent basis, nor use some lame excuse to do so. All I have ever done is come to work, be respectable, do my job as professional as possible, don't bother anyone, and when my shift is complete, clean up behind myself and go on about my business.

As recent as today, during the Charleston's Promise Children's Festival at Brittle Bank Park, Linda Logan along with her husband, came to where I was playing music for the festival. I thought she had come to promote the station.

But there, while I was working on the platform, playing the music for the children's festival, Linda approached the platform and proceeded to rant and rave about how angry she was with Lee Kent. Linda told me that Lee Kent is a "fucking asshole" and proceeded to tell me how Lee had written her a four page Memo and air check, as well as about the Memo Lee had written to Skip, who by the way is taking his to an attorney.

Linda stated she was wondering if I'd resigned because I'd received a Memo from Lee also. I informed her that I had already told her the week before, when she asked to speak with me, that I'd been considering leaving and that I had not received any Memo from Lee.

Linda then proceeded to take the Memo from her purse and show it to me by saying, "Here, you need to read this crock of shit!" Then she started talking about how Lee had really "fucked up" by "pissing" Bruce, the Engineer off, and that Bruce had quit the station and had thrown his keys and cell phone on or at Charlie's desk and that now they were going to have to contract for his business and that because of "Lee's stupidity," Lynn Martin was getting ready to "pay out the ass" because Bruce was "really going to charge them for his services now."

My musical colleague was standing near by while Linda was telling me all of this and stated that he would continue to play the music so I could take a break. I then, began to read the Memo to Linda from Lee Kent, dated March 4, 2002. As I read, I found myself agreeing with just about everything that Mr. Kent had indicated in his Memo, as these are typical patterns of how Linda does things. I imagine she's gotten away with it for so long that even she is oblivious to what she does.

In addition, I personally, heard Linda do several sloppy breaks on Thursday, March 7<sup>th</sup>, during the COOL Café, where she obviously voice tracked and didn't bother to edit the recorded calls to fit the time segment she was in, as well as having spells of dead air?

Additionally, while playing back a lengthy recorded call in, a male listener asked if it was too early in the morning to request a song for the COOL Café. Linda replied it was not too early, even though it was approximately 12:30 pm when she aired the segment. The listener proceeded to request the song "My Girl" by the Temptations. Linda repeated the song, talked a little about the song and then after asking the caller "what station plays your song?" had cued and played Rainy Night In Georgia by Brook Benton instead.

Later that evening, a few of my friends told me they too had heard the same break and some of the other errors as well. They also inquired as to how Linda is allowed to frequently mess up and still be on the radio. I could only reply, I guess it's all in who you know and what they don't know.



And, later that same afternoon, I heard Skip St. John tell Jessica Mickey and Martha (Skip's girlfriend) after the traffic break "now you two can go on and talk to each other" then there was approximately 5 seconds of dead air before an element kicked off. Again, not paying attention to detail or focusing on what you are there for.

These are perfect examples of the unprofessional, unconcerned, unorthodox work ethic that has been going on for well over a year.

No one has time to do the professional business the right way, but everyone has all the time to do the unprofessional personal business thing on professional time, and get paid for it while the station continues to sound bad in spite of positive efforts because the announcers don't care enough. Oh, they put on a good pretense, but that's all it is and I've seen right through it on too many occasions.

My primary reason for bringing this to your attention is because I care about how a station is using my cultures musical sounds and that it, the music, is being represented properly. And, I've always cared about it this way. That's why I could not stand by any longer and see it misrepresented this way. And even though I am no longer an employee, I am still a demographic listener and now my vote and my influence with others FINALLY COUNTS and matters!

Making money is great, Mr. Martin. But, in case you've been in Kentucky too long, and listening to consultants that listen from another State and who really don't know the community of people in this area, let me just share something that should be of interest to you, Sir ... and that is ... the African-Americans of the LowCountry are not as naive as one may wish to believe.

And, if you don't choose to believe me ... get someone you do trust to make some home tape recordings of your midday and p.m. drive radio announcers. Or, I can just send you some that I have if you'd like. I always say proof ... leaves no room for doubt.

**But what am I talking about? You have Lee Kent now!!! I'm sure from that Memo he gave to Linda, which she totally deserved, (and had no business showing it to me by the way, just another example of her unprofessionalism because under no circumstances are Linda and I in any capacity friends or allies) Lee has obviously become aware of most of the unprofessional activities that have been going on for a long time now, and just in the short month or so that he's been at COOL 105-5. And, I didn't have to say a word.**

**What a BLESSING for COOL 105-5, to have Lee Kent to clean up the cancerous virus mess that lives within the bowels of COOL 105-5!**

**And finally, I'd like to suggest that you take more consideration toward your employees regarding paydays. If pay day is the 10<sup>th</sup> and the 25<sup>th</sup> of the month, then employees should be allowed to pick up their checks prior to 5pm on paydays, in other words BEFORE the banks close.**

**Not allowing checks to be picked up before the banks close on the 10<sup>th</sup> and 25<sup>th</sup>, means that, in actuality, payday is not until the 16<sup>th</sup> and 26<sup>th</sup> of the month. The 10<sup>th</sup> and 25<sup>th</sup> after 5pm is merely the day employees can pick their check up, not payday. This needs to be corrected.**

**Furthermore, if the so-called payday, which is really only a pick up your check day, falls on the weekend, then employees should be allowed to receive their check on the Friday before, and not until after 2pm on the Monday after the day has come and gone.**

**In the past, it's been stated that your organization does not deposit the money in the bank in time for it to post on the stations so-called payday. I believe Mr. Martin, as the owner of the company, it is your responsibility to ensure funds are available on the day your company designates as payday. It seems something this simple could be remedied very easily.**

**Therefore, you would need to either ensure the deposit be made the day before the scheduled employee payday, so that the employees may pick up their checks at a reasonable time during the day allowing plenty of time for them to be cashed on the stations designated pay day, or change the day of payday to a day that it can all be accomplished the way it's supposed to be accomplished. That's what payday is supposed to mean ... it's the day you can pick up your check and cash it at the bank.**

**Mr. Martin, having informed you of all of this, I hope you have a better understanding as to why I felt it necessary to resign from your company's employment.**

**Mr. Martin, I assure you, I have only provided you with this information to enlighten you, and in no way is it intended to be disrespectful. Take it as a valid objective, unbiased assessment of some of the stations shortcomings as seen by a former employee, if you will.**

**Having been a supervisor in the military for over 13 years, I have been trained to notice certain professional inadequacies. However, I was also in a position to train personnel and correct those inadequacies, and as part of my responsibilities, I was expected to make those corrections in a professional manner.**

**At no time, was I allowed to discriminate, disrespect or humiliate a fellow soldier in the process. And, if reasonable corrective measures were not achieved through written documentation or proper training, then other measures were taken to include disciplinary action, if warranted.**

**I, professionally and personally expected more from my co-workers, employer and the radio station(s) of LM Communications in the Charleston market.**

**And Sir, unless I'm grossly mistaken, so does the EEO, FCC, the Secretary of State and the people "all of them" of the LowCountry.**



**After consideration of advisement from my attorney, I will notify you of my course of action regarding the matters mentioned during my tenure with WCOO, LM Communications.**

**Mr. Martin, thank you for your time.**


**Respectfully,**



**Patricia Thompson  
Former WCOO/COOL 105-5  
Radio Announcer**

**cc: Mr. Charlie Cohen, General Manager, WCOO/WYBB  
Mr. Lee Kent, Program Director, WCOO  
Linda Logan and Skip St. John (radio names)**

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  US Senator Lindsey Graham 530 Johnson Blvd Suite 202 MT, Pleasant 3029464	B. Received by (Printed Name) Wane Goldston	C. Date of Delivery 8/22/03
2. Article Number (Transfer from serv)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7003 1010 0001 8236 6574		
PS Form 3811, August 2001      Domestic Return Receipt      102595-02-M-1540		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature   <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>RICHARD PERRY            SENATOR LINDEY GRAHAM            290 RUSSELL SEN            OFF BLDG            WASH DC 20510</p>	<p>B. Received by (Printed Name)            T. Williams</p> <p>C. Date of Delivery            AUG 27 2005</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No            If YES, enter delivery address below:</p>
<p>2. Article Number            (Transfer from sender's label)</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7003 1010 0001 8236 6581</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 102989-02-0-1040</p>	

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meeting Charlie 11:30 6-4-02

- ① Ad = tapes & options      P'se of low female = illegal }
- ② No → TRISH
- ③ Poss Sunny Midway Person =
- ④ Not like Cool Coast = poss AC me & John do something

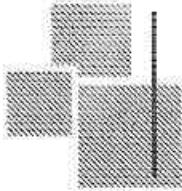
Charlie talk to Linda =  
about the van =

---

Mike - RV thing Stereo ---

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D18



LEE KENT

### Fax Transmittal Form

To

Name: Lynn Martin  
 L.M. Communications  
 CC:  
 Phone number: 859-252-9000  
 Fax number: 859-233-4269

- Urgent  
 For Review  
 Please Comment  
 Please Reply

From

Lee Kent  
 Phone: 843-763-3432  
 Cell: 843-343-8503  
 Email: leekent@comcast.net

Date sent: 3/21/02  
 Time sent:  
 Number of pages including cover page:4

Message:

Lynn;

Attached is the three page letter I received from Trish.

This has been my only action in the matter until I was asked to contact Trish . I declined to do that as I did not think my doing so was a good idea.

To summarize our telephone discussion: I got the impression during my meeting with Trish regarding the attached letter that her passion for the station was the main point. Her crying was when she realized it was indeed ended. We even discussed the station's involvement in Charleston's Promise (children's organization part of America's Promise ) in our upcoming "Cool Kids" promotion as she sits on the board of Charleston's Promise. She was amicable in continuing that pursuit as she was in the upcoming "Real Life Survivor" promotion which she had been working on contacting James Brown to be the spokesman for the promotion and was helping to research music for the station in my quest to find new titles for possible review.

I had high hopes for Trish as I felt the station needed the sound and community connection and I was sorry to see her leave.

I still do not believe her motivation is money.

Lee

Lee Kent  
 53 Mulfield Parkway  
 Charleston SC 29407

Phone: 843-763-3432  
 Cell: 843-343-8503  
 Email: leekent@comcast.net

**Lee Kent Hempfling**  
**PO Box 6932 Apache Junction AZ 85278**

Mr. James K. Schweitzer  
Special Agent in Charge  
Federal Bureau of Investigation  
151 Westpark Boulevard  
Columbia, SC 29210-3857  
Via Fax: 803-551-4219  
Via Email: jschweitzer@fbi.gov

March 22, 2004

Mr. Schweitzer;

This letter is a formal request for an internal investigation by the Federal Bureau of Investigation into the conduct and motivation of Thomas E. O'Neill, Chief Division Council of The Columbia SC FBI Office regarding his actions taken, dated March 12, 2004 and mailed March 16, 2004 in regards to a request for investigation and prosecution of several federal and state crimes committed under the color of law, and a formal request for proper investigation of violations of 18 U.S.C. § 24 and others.

In the letter received from Mr. O'Neill, he stated: "In order for the FBI to initiate an investigation of any complaint we receive, specific facts must be present to indicate that a violation of federal law within our investigative jurisdiction has occurred." 18 U.S.C. § 24 is specifically within the FBI's jurisdiction.

In an article published by The State, dated Wed, Nov. 26, 2003, Mr. O'Neill is credited with this statement; "... Tom O'Neill, spokesman for the FBI's Columbia division, explained the way the process works when it receives a complaint: The FBI, he said, conducts a preliminary investigation and turns over its findings to the Justice Department. The Justice Department determines whether a violation has been made or if additional information is needed, O'Neill said."

Mr. O'Neill did not conduct a preliminary investigation prior to his response. Instead, he referred to a prior complaint filed with your office in 2002 for a completely different issue and purposely mixed those two complaints, claiming, "As you recall, in 2002, you provided similar information to our office and were advised that this matter did not warrant investigation by the FBI. Unfortunately, the additional information you provided March 10, 2004, failed to convince me that our earlier decision was made in error."

The facts are:

1: The 2002 complaint was in regards to a terrorist inspired email with an implied threat on my life, of two Palestinian gunmen and Yassar Arafat, sent after the 9/11 tragedy to a Jew. It was not only offensive, but very threatening.

2: The local agent in Charleston ruled no investigation would take place as the threat on my life was 'not current'. Under that logic, investigating any crime is not possible as crimes take place, then are investigated to find culpability. They are hardly ever 'current'.

3: Mr. O'Neill was copied in written correspondence by J. Strom Thurmond's office advising him of my continued interest in having the present matter investigated wherein Thurmond's office stated they would be happy to send a copy of the complaint to O'Neill if he had not received the copy sent to Director Mueller.

4: No response came from Mr. O'Neill after that referral from the United States Attorney's Office. After a month of no response a copy of the complaint was faxed to Mr. O'Neill.

5: Mr. O'Neill either failed to read both complaints, or at least the second complaint, as having done so would show beyond any doubt the present complaint is regarding a series of crimes committed BY the EEOC, the SCNAACP and the FCC and a radio broadcast licensee company among others, with intent to defraud the United States and the victim and nothing remotely similar to the first complaint.

6: To summarily rule, "unfortunately, the additional information you provided March 10, 2004, failed to convince me that our earlier decision was made in error," is simply not possible for a person who would have read and reviewed either complaint as they are not related.

7: The present complaint provides, not only detail of each allegation made (plenty enough for initial indication of crimes being committed) but included a private username and password for Mr. O'Neill to 'investigate' the documents proving the allegations. That location is a secure server on the Internet. Mr. O'Neill did not access that location and never once reviewed the evidence before making his judgment.

8: Mr. O'Neill's statement that: "you provided similar information to our office and were advised that this matter did not warrant investigation by the FBI" is simply untrue.

9: Mr. O'Neill stating; "additionally, it would appear that your complaints are being addressed by the Equal Employment Opportunity Commission and , possibly, by the Federal Communications Commission," is also untrue as the EEOC is NOT investigating their own commission of crimes, they have in fact, ignored the complaint in writing, yet an unauthorized person acquired the private access credentials of Cari M. Dominguez and attempted access to the secure server from North Carolina. The FCC is NOT investigating their culpability as no complaint was filed with them to do so. Complaints were filed with the FCC in 2002 and 2004 as the motive of the commission of the crimes in the present complaint was the license renewal of the radio broadcast licensee and was perpetrated through fraudulent submission of EEO and License Renewal forms to the FCC, made possible by a violation of 18 U.S.C. § 24, among others.

10: The EEOC and the FCC do NOT investigate the laws within the investigative jurisdiction of the FBI, to which, Mr. O'Neill has refused to follow his own procedure. He refused to investigate by claiming two completely different complaints were related directly, with the second supposedly supporting the first. That is untrue.

11: By mixing the two complaints into one action Mr. O'Neill has attempted to brand me as an 'unreliable' source, which is not only untrue but as the relevant evidence shows beyond any doubt, is absurd.

12: What is truly amazing to me is Mr. O'Neill saying; "As you recall." The documents speak for themselves and 'as I recall' (which means to read the documents), the documents are not remotely connected as the first complaint deals with a crime committed during the period contained within the EEOC Charge and the present document deals with the commission of felonies following the EEOC Charge filing and proves, with documented relevant evidence Mr. O'Neill failed to investigate or view, the charges to be valid in a conspiracy of government employees, acting under color of law with accomplices in business and outside influence to deprive the victim of a right secured by the Constitution or laws of the United States and did so willfully in a direct violation of 18 U.S.C. § 242.

Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

13: This case involves the direct corruption of protected civil rights by EEOC staff and others and as such has implications nationwide and presents an important public policy consideration; a novel issue of law; a case that be-

cause of peculiar facts and circumstances, may set important precedent, namely exposing corruption within the EEOC; and is therefore undeniably of "national interest".

The United States Attorneys may decline cases in their offices by orally advising the FBI, which declination shall then be reflected in the investigative report submitted by the FBI. The United States Attorney in this case referred it to Mr. O'Neill for 'investigation'. Not even Mr. O'Neill's letter indicated any USAO declination.

14: The United States Attorney is responsible for the enforcement of criminal civil rights statutes in accordance with written procedures and advised Mr. O'Neill of my continued interest in having the matter investigated, yet Mr. O'Neill did not respond to the USAO's referral and did not act upon it in his own admission having acted: "Unfortunately, the additional information you provided March 10, 2004, failed to convince me that our earlier decision was made in error," in error of fact and reason as the present complaint was NOT additional information to the prior complaint and the combination of the two is suspect of Mr. O'Neill's motivations for having combined them.

15: In the Civil Rights Resource Manual 44, Standards for FBI Investigation -- Investigation Required: Investigation Is Required when: Upon receipt of a civil rights allegation from a complainant or victim not known to be unreliable. The failure of the 2002 complaint to be investigated was not due to the complainant or victim being 'unreliable' and the present complaint does not relate to it. The complainant or victim IS reliable where documented relevant evidence shows explicit reliability. And Upon receipt of a request from a United States Attorney. Upon receipt of a civil rights complaint alleging a "Color of Law" violation (Title 18, U.S.C., Sec. 242) from any source not known to be unreliable.

Mr. O'Neill failed to conduct any investigation into a serious and substantial in nature case by not interviewing each subject for full details of the incident and by not accessing and reviewing the evidence. Mr. O'Neill did not, as a part of each interview, secure the identity of witnesses or obtain a complete physical description and background for each subject during interview or from police records. (See Section 44-10.6(9) of the FBI Field Manual regarding the need for signed statements.)

Mr. O'Neill failed to interview all or a sufficient number of witnesses to fully develop the facts of the case. Mr. O'Neill failed to acquire the identity of witnesses, which may be obtained from subject(s), victim(s), or police reports. Mr. O'Neill failed to obtain and document the names and addresses of all witnesses who were not interviewed during the investigation. Mr. O'Neill failed to, as a part of the interview with each witness, obtain full name, address, telephone number, employment, race, sex, date of birth and social security number. Mr. O'Neill failed to advise witnesses that information furnished may be used in a court of law.

Mr. O'Neill failed to contact appropriate officials at the subject officer's (middle management of the EEOC) agency to obtain pertinent records, i.e., Internal Affairs Report, personnel file, etc., and any other complaint(s) against subject.

According to "Standards for FBI Investigation -- Additional Investigation Required -- Substantial Case": After completion of the investigation, advise the United States Attorney of the results and ask the United States Attorney if further investigation is warranted. Regardless of the United States Attorney's answer, submit report of investigation completed. If United States Attorney requests further investigation, conduct whatever investigation the United States Attorney requests as long as such requests are reasonable and pertinent to the case. If a problem arises with a request of this nature, handle pursuant to instructions set forth in Section 8-3.311(c), supra. The results of this investigation should be furnished in an investigative report supplementing the initial report. When the United States Attorney states that the investigation is adequate, request the United States Attorney to furnish an opinion as to the prosecutive merit of the matter. Do not delay the submission of any report pending a prosecutive opinion by the United States Attorney. The United States Attorney's prosecutive opinion can be furnished in a supplementary report.

Instead, Mr. O'Neill furnished his own opinion of prosecutive merit in incorrectly relating the present complaint to the 2002 complaint and literally brushed off his official responsibility to FBI regulations and his refusal to review the relevant evidence.



Federal Rules of Evidence: Rule 401 Definition of "Relevant Evidence": "Relevant evidence" means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence. The FBI failed to review the "Relevant Evidence" and just as the USDOJ Civil Rights Division, ruled against the evidence without ever viewing it.

Although Rule 1002. Requirement of Original: requires the original writing, recording, or photograph, except as otherwise provided in these rules or by Act of Congress, the information provided to the FBI was scanned copies of originals in a secured online location as providing originals to the FBI would be detrimental to the case and no assurance of the return thereof would be justified and review of the evidence for investigation does not require originals. The failure of the FBI to even look at the evidence provided shows prejudice in refusing to honor the charge allegations.

A United States Attorney forwarded the request for investigation to Mr. O'Neill who failed to act upon it and in doing so provided false and untrue statements regarding a previous complaint in relation to the present complaint, and in doing so failed to show the complainant or victim as 'unreliable' and in fact showed his own judgment to be unreliable.

The South Carolina Governor's office received the present complaint, signed for it in certified mail, then promptly failed to log it into their mail log and have never responded to the request for its location.

The South Carolina Attorney General's office representative Robb McBurney, wrote an email to someone within that department (or outside of it) and said the following: "I don't recall this. it could be one of those calls that Marian forwards to me from time to time, but i don't have any record of it. I will call him back and find out what it was that he sent if you like. Let me know."

That email, obviously not intended to be mailed to Hempfling, was received on March 16, 2004 at 5:07 pm Eastern Time. That is the same day the Mr. O'Neill mailed his rejection letter, dated March 12, 2004.

Hempfling's response asked, "If no record was kept of the phone call, which took place as indicated in the letter copied below, then what was the purpose of telling me I would receive a return phone call with an update as to where the case document was?"

McBurney is the person Hempfling spoke with on the phone who promised to follow up and find the complaint.

On March 17, 2004 at 12:42 Eastern Time, 'Amy' of the SC AG office called Hempfling and left a message. The return call resulted in this "...was trying to find if she had the documents in her office...wondered what it was about...she was told about the <http://www.rollovermartin.com> site and she said she would have one of their attorneys review the site contents but most likely they would refer such a thing to the FBI for investigation as well."

I respectfully request the Federal Bureau Of Investigation to investigate the allegations, proven in documented relevant evidence contained in government emails from a government mail server through the EEOC and other documents and all pertinent and relevant evidence contained in the secure server and public server location previously provided, and to follow the requirements for investigation as provided in official FBI documentation without prejudice, to properly collect and analyze all relevant evidence and to submit the proper required documentation and forms to the United States Attorney J. Strom Thurmond Jr., and to investigate the reasons and methods behind Mr. O'Neill's letter of March 12, 2004, mailed March 16, 2004 in refusing to investigate a valid and reliable complaint of violations of 18 U.S.C. § 24, among others.

The following synopsis of the case is publicly available but was not accessed by Mr. O'Neill.

This case is of nationwide interest in uncovering a prevailing and ongoing corruption within the EEOC. I cannot stress my disappointment more at the lack of interest paid to it by the FBI.

I await your timely response.  
Sincerely,

Lee Kent Hempfling  
PO Box 6932  
Apache Junction AZ 85278  
480-332-1535

Public record files: [Http://www.rollovermartin.com](http://www.rollovermartin.com)

Secure record files: <http://secure.enticy.org>

Username and password are in the possession of Mr. O'Neill. All letters are publicly available for review a the public records site.

### **The Case:**

The case, although complicated in depth and scope, involves the simple premise of equal protection and equal rights, with violation of such under the color of law.

Essentially, an EEOC claim was filed for retaliation for upholding the rights of a minority under Title VII.

That case was used in negotiations for the minority's case and discarded to provide her a preferential settlement. That settlement was sealed in May 2003.

The motive was two-fold:

For the employer: eliminating this case allowed filing a license renewal for government broadcast license (the employer filed that license renewal and accompanying EEO report and fraudulently misrepresented this case in all three elements) as well as removing financial responsibility for a case they knew they could not adequately defend in court. They would lose this case if it were to go to trial. The best way to deal with it was to get rid of it, hide it, cover it up, conspire with a willing Government official to quietly put it away hoping the victim would simply 'move on'.

FCC EEO FORM FCC 396 filed 07/28/2003: "IN LATE 2002, A FORMER PART-TIME EMPLOYEE, PATRICIA THOMPSON, FILED A COMPLAINT BEFORE THE EEOC (FILE NO. 140A201837) AGAINST WCOO CONTENDING THAT SHE WAS DISCRIMINATED AGAINST IN HER ATTEMPT TO ACHIEVE FULL-TIME STATUS. THIS CASE WAS SETTLED IN MAY 2003, AND THE COMPLAINT WAS DISMISSED. IN LATE 2002, A FORMER EMPLOYEE, LEE HEMPFLING, FILED A COMPLAINT BEFORE THE EEOC (FILE NO. 140A20187) AGAINST WCOO ALLEGING WRONGFUL TERMINATION BECAUSE OF HIS JEWISH HERITAGE. THE LICENSEE DISPUTES THIS CLAIM. THERE HAS BEEN NO FURTHER ACTION TAKEN BY THE EEOC ON THIS MATTER." There had been considerable action taken by the EEOC on that matter, records are available to law enforcement only. The reported Charge Number is NOT the charge number of the case. The claim was for 'retaliation' not heritage. That form is fraudulent.

FCC FCC 303-S filed 07/28/2003, APPLICATION FOR RENEWAL OF BROADCAST STATION LICENSE : "IN MAKING THIS CERTIFICATION, THE APPLICANT HAS RELIED ON A REVIEW OF ITS FILES AND RECORDS, AND HAS EXAMINED THE PUBLIC RECORDS OF THE COMMISSION AVAILABLE AS OF MAY 12, 2003. AS USED IN THIS CERTIFICATION, THE PHRASE 'TO APPLICANT'S KNOWLEDGE' MEANS TO APPLICANT'S ACTUAL KNOWLEDGE WITHOUT FURTHER INVESTIGATION OTHER THAN AS DESCRIBED IN THIS EXHIBIT. BASED UPON AND SUBJECT TO THE QUALIFICATIONS IN THE PRECEDING PARAGRAPH, TO APPLICANT'S KNOWLEDGE, THERE HAVE BEEN NO FCC VIOLATIONS OR ALLEGED VIOLATIONS OF THE COMMUNICATIONS ACT OR THE FCC'S RULES AS DEFINED BY THE INSTRUCTIONS TO QUESTION 4 OF SECTION II OF FORM 303-S BY THE APPLICANT DURING THE PRECEDING LICENSE TERM." Public record of the FCC will show August 13, 2002 an official complaint was filed in email to the FCC for violations of seven rules and laws alleging WCOO, L. M. Communications Inc. of Charleston South Carolina as the violator. It will further show correspondence with the FCC regarding that complaint and that it was never acted upon by FCC. Public record of the FCC will also show

receipt of the same complaint in U.S. Mail and a subsequent additional email submission. The form for license renewal is a fraudulent submission.

For the SC NAACP & EEOC: eliminating this case allowed the preferential treatment of a minority person who had filed her complaint through the SC NAACP.

Both cases are against the same employer.

EEOC Program Manager Billy C. Sanders (active in the NAACP) handled both cases and in many emails in government email laid out the 'plan' to discard this case and detailed the manner of defense to be used by the employer if there was to be a persistence in demanding this case be acted upon.

EEOC has not issued a ruling on this case in two years.

Issues: EEOC is able to manage cases through preferential treatment by sacrificing same-employer cases of non-minorities and hiding the results of such in sealed settlements. EEOC is continuing to evade the case, not ruling on it and claiming the contents of records in the minority's case to be other than fact as they were submitted. the original copy of the minority's EEOC filing, including her signed FORM5 and the entire packet sent to the EEOC, provided by Thompson are in file. EEOC's inaction is intended to extend Hempfling's right to sue past the limit, thereby removing claim potential for the employer and hiding the case from the public's interest.

Main issues of the EEOC's emailed statement:

EEOC stated: "the documents in her file don't mention you in a positive way because she feels you were part of her problem and did not go to bat for her for a full time job"

Fact: The documents that were submitted as her file do include such statements, including the original FORM 5 signed by her, written by the EEOC or NAACP for her claims, extensive letters written by her to the station owner showing character references, and within her filing were scores of documents from this case, referenced and included. The documents in her file now are the result of the EEOC's tampering with evidence to allow the scheme to play out in sealed settlement.

FORM5 (contained in Thompson's original EEOC submission packet): Thompson's original submission EEOC FORM5 signed by her and dated August 21, 2002, states: "In fact a white manager tried to get them to hire me to a full time job and they refused and forced him out."

LETTER (contained in Thompson's original EEOC submission packet): A letter dated February 28, 2002, addressed to Lee Kent, signed by Thompson, in which she resigned due to prior discrimination states: "I am writing this letter, first of all, to thank you for your professionalism, insight and words of wisdom, you have shared with me, as well as your vision for COOL 105.5. I am certainly excited about watching your vision reach fruition. ... our conversation on this Wednesday has piqued my interest, I must confess. And, I do appreciate your sincerity in asking me to stay. Furthermore I must reiterate, that my decision to leave was made, and based solely on numerous events, prior to your arrival at COOL 105.5. ... Lee, I have enjoyed the opportunity to work with you for this short time in the field in which I choose to major in college... Thanks for your mentoring! ... And Lee, if this should not work out at this particular time, PLEASE, keep me in YOUR mind for any future endeavors or opportunities that you know I would be well suited for."

DEMO: Thompson, after her resignation, did not have a demonstration compilation tape of her on-air work. She provided numerous cassettes of past shows to Hempfling. Hempfling, on his own time, at home, edited those tapes into a CD demo and provided Thompson with the copies she had to 'officially' submit to the station to be considered for re-hire.

LETTER (contained in Thompson's original EEOC submission packet): Dated March 9, 2002, signed by Thompson, addressed to Lynn Martin of L.M. Communications Inc., stated: "I'd like to assure you that my reasons to leave have absolutely nothing to do with the arrival of Mr. Lee Kent as the new Program Director (PD) for COOL 105.5. In fact, hiring Mr. Kent is probably the BEST decision that your organization has made in regard to personnel matters, in quite some time. I am certain, that through his professional leadership, Mr. Kent will accomplish great things for both COOL 105.5 and L M Communications. It is already evident that Mr. Kent is truly a radio professional and I am confident he will clean up what has become a very unprofessional and unorthodox work environment in the COOL 105.5 Programming Department. It's about time someone put a stop to the nonsense. To my dismay, Mr. Kent has arrived too late for me to continue to endure, while he makes the necessary adjustments.

However, I am grateful to have worked with him the short time I have and appreciate his mentoring., However, what occurred prior to Mr. Kent's arrival is why I have resigned."

That letter also contained: "I am in the process of seeking counsel and advisement as to possible EEO violations... I was the only African American female and Disabled Veteran in the department..."

EMAIL: In an email dated September 04, 2002, sent to Billy C. Sanders of EEOC, Thompson, after receiving a phone call from Lynn Martin states: "God what have I done. How did he get my phone number ... am I going to start being harassed ... am I safe at work now, or at home ... I began to feel that this might be some kind of intimidation tactic to try to ... I don't know what ... I just know it has me on edge right now ... and I'm concerned about his true intentions or is this just another ploy ... If he contacted me and was not supposed to ... what can I do about it to ensure that he doesn't continue to contact me in this manner? Or, contact my current work place ... They all know where I work Billy, now I'm looking all around me, wondering if I'm being followed, all kind of stuff man. Please give me some guidance ... As soon as possible ... I need to be able to think and right now ... I can't think about anything else ... I know what these people did to Lee ... my God Billy, what's going to happen to me next? So, if I all of a sudden end up injured or dead ... this is becoming scary ... do please don't think I'm being playfully jokey right now, because I'm not ... Please do not let this go ... Please do not let this go, if something does happen to me."

REFERENCE: After being fired for attempting to hire an African American female, Disabled Veteran full time, Hempfling sought employment elsewhere in the market and wanted to hire Thompson for a full time on-air position at that station. Thompson provided a job reference for that interview process. She stated, in part: "I'd like to share a piece of my heart and mind with you in regard to Mr. Kent and pray that you give what I share with you your utmost consideration while you go through your decision making process in effort to bringing MEGA 100 to its full on-air capacity. First, and by far, Mr. Kent is a true and consummate professional. I hope you can appreciate when I state that, it's truly a breath of fresh air to be associated, in any endeavor, with such a professional of Mr. Kent's caliber. And, just as refreshing as it is, I'm sure you are aware that it's also very rare. Mr. Kent's vision, coupled with his vast experience, knowledge and long time radio perspective is only surpassed by his work ethic, business knowledge, and managerial expertise. Ms. Aidoo, I know I'm baking a six layer cake here, but the thoughts I possess of this man and that I graciously share with you, do not come from me lightly, I assure you. However, when I think of all the wonderful things I could fill your eyes and ears up with in regard to Mr. Kent, if I had to just narrow it down to one thing about Mr. Kent that strikes me the most, I would have to say it's his passion for people. And along with that comes integrity, honesty, trustworthiness, and relentlessness." That reference was written long after the LM Communications employment issue, making any claims of reversed bias by Thompson, written by Sanders, a lie.

ORIGINAL SUBMITTED THOMPSON EEOC PACKET page 19: "I have become aware that the new P. D. Lee Kent had been planning prior to my departure to promote me to the midday position to replace Linda Logan Grumbein but such attempts had been refused by Charlie Cohn with Cohn saying he had 'issues' with me"

ORIGINAL SUBMITTED THOMPSON EEOC PACKET page 21: "I have learned that in a discussion between station Consultant Don Hallett and PD Lee Kent, that Mr. Kent was instructed to receive my application and let Linda go. Afterwards, to then actively publish a job opening and to consider hiring me when it was complete. That process I have learned was rejected by Charlie Cohn."

40 enclosures were within the EEOC Packet of Thompson, provided by Hempfling that detailed the attempts to hire her, the issues within both cases and the fact that Martin and his attorney both questioned Hempfling following Thompson's invoking Title VII of the EEO Act of 1964 as amended wherein Hempfling stood up for her rights causing further retaliation.

EEOC stated: "you will need a statement from her to support some of your case"

Fact: The documents filed by her contained numerous statements from her supporting this case. These include character references, comments and praise as well as detailed letters to the employer regarding the standing of this case. Additional references to the case are contained in other documents from her on file.

EMAIL: See the email dated September 04, 2002 above.

EMAIL: Extensive email correspondence is on file between Thompson and Suesie Hempfling and Lee Kent Hempfling. Suesie Hempfling and Thompson were 'close' friends up until the period where Sanders of EEOC took over the case. Those emails, as well as birthday, sickness and well-wishing greeting cards from Thompson are available to law enforcement only.

EEOC stated: "Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info"

Fact: This implied threat by EEOC spells out the manner in which a defense was to be concocted by sim-

ply reversing the harassment claim. This has come to fruition in an email received March 10, 2004 by someone posing as a former employee of the employer. That person was to be replaced with the minority and was used throughout the ordeal by ownership to add intimidation and threaten legal action for doing the job of a Program Director: (critiquing her on air performance). The emailed letter received said; "The government won't do anything about it because you are crazy and you deserved to be fired, not for trying to hire a black employee, but because you were a lazy troublemaker who refused to help Mike Allen when the Commercial computer was down." Documents from numerous other employees show otherwise. Those documents, from both full and part time personnel at the station are available to law enforcement only.

EEOC stated: "But we will cross them bridges when we get to them."

Fact: 'them' bridges were already built awaiting the pressuring of this case in a conspiracy between the EEOC and the employer and the SC NAACP to use this case to settle the minority's case preferentially and provide a reason for the employer to settle a small claim in lieu of having to deal with a far larger claim.

EEOC stated: "I am waiting to hear from their attorney re the Fact Finding Conference."

Fact: This statement was made on August 20, 2004 (as were the above statements) after Senator Lindsey Graham's office's inquiry into this case to the EEOC. In reality, a fact finding conference was scheduled by EEOC for April 24 or 25, 2003, but canceled at the last minute by the EEOC only for this case. The minority's case was settled the following month. No fact finding conference has ever been held for this case, no ruling has ever been made, no right to sue letter has ever been received. EEOC wrote a letter to me after I sent a copy of the proven 21 counts of federal and state laws violated in this issue by EEOC and others stating that Billy C. Sanders would contact me regarding this case. That has never happened. It is a stalling tactic to wait me out and ignore my constitutional rights to equal protection.

EEOC stated: "C U Later"

Fact: Clearly intended to be the 'kiss off'.

That EEOC correspondence was following the contact by Senator Lindsey Graham's office to EEOC Greenville SC and came from EEOC Charlotte NC.

Criminal allegations were in the hands of Tom O'Neill Chief Division Council of the FBI in Columbia. Nancy C. Wicker of US Attorney J. Strom Thurmond Jr's office referred the case to him. The allegations were faxed to him March 10, 2004 after not hearing from him for a month. On March 16, 2004, O'Neill mailed a letter, dated March 12, 2004 wherein he attempted to declare Hempfling to be an 'unreliable' source by incorrectly and purposely claiming the complaint he had received in fax was 'additional information' regarding a complaint filed with the FBI in 2002 involving threats received in interstate e-mail. Neither were related, yet O'Neill dismissed the current complaint of 'color of law', criminal civil rights violations as 'additional information' to the first complaint. The document he ruled was 'similar' to the first complaint was not at all similar making his ruling intentional deprivation of civil rights by a federal officer under 'color of law'.

That document was originally submitted for action to Attorney General Ashcroft, who's office has not responded; to FBI Director Mueller, who's office has not responded; to SC Attorney General Henry McMaster, who's office has responded after a phone call they could not find record of and an email they called about. SCAG is expected to hand the case to the Columbia FBI, which has already ruled against it, to NC Attorney General Roy Cooper, who's office has not responded; to SC Governor Mark Sanford, who's office has not responded; to Glenn A. Fine, USDOJ Inspector General, who's office has not responded; to FCC Commissioner Michael Powell, who's office has not responded; to EEOC Commissioner Cari. M. Dominguez, who's office responded twice: once by giving Dominguez's private username and password for access to the law enforcement secured server to an unauthorized person who attempted to break into that server, and once in U.S. mail informing Hempfling, without reference to the federal offenses that Sanders was in charge of the case and would be contacting soon. No such contact has been made.

It was the right thing in upholding the rights of a minority who was alleging violations of Title VII and state labor laws.

It was the right thing in filing directly to the EEOC. The 'back door' entrance for preferential treatment was not used.

It was the right thing when in filing an FCC complaint showing how the employer illegally reduced power to the transmitter to damage the results of Arbitron ratings the position of Program Director was responsible for. That filing was stopped within FCC and lost three times, two email and one ground mail submission were 'mysteriously' ignored.

It was the right thing in showing EEOC their claim of the employer not qualifying for EEOC jurisdiction was in error.

It was the right thing in attempting to hire a minority to a full time position, then to attempting to rehire her to a fulltime position after she resigned over previous discrimination.

It was the right thing trying to make a black music radio station have black air talent.

It was the right thing in every step of the employment and every step of the case that followed.

It was the right thing in filing an FCC complaint showing proof the employer lied on their EEO and license renewal forms.

It was the right thing in keeping records of all incidents, emails, letters and notes: every single allegation proven by document.

It was the right thing to assume one's Senator to be an advocate of his constituency.

It was the right thing to request the FBI to uphold its responsibilities.

It is a sad thing to know that "An independent, bi-partisan agency within the executive branch responsible for enforcement and compliance concerning elimination of employment discrimination by private and public employers", is guilty of the very law it is to enforce and seems to be beyond oversight.

Not this time. Every crime is documented. Every scheme is documented. Every claim is documented.

"I will stand up for equal rights. I will stand up for affirmative action in cases needing it. I will also stand up for my own rights as those rights afforded by the constitution are for all persons in this country, not just for those who have special consideration." Lee Kent Hempfling.

Federal Communications Commission  
Enforcement Bureau  
445 12th Street, SW  
Washington, DC 20554

Fax: 202-418-0232

March 10, 2004

FCC:

The following complaint was filed with the FCC starting 13 August, 2002 for three submissions. You lost or ignored every single one.

It was filed again 11 February, 2004 as the 4th submission.

Now, you have indicated it was received on March 10, 2004. Records of email below will show this to be a lie.

This is now the FIFTH (5th) submission of this complaint to the FCC.

Your immediate attention and investigation of this complaint is demanded.

A copy of this letter is being faxed to news media and Government numbers.

At a time when you are spearheading an anti-indecency campaign, fining stations for infractions of ambiguous rules you have shown your agency to be indecent in the manner in which you protect the public frequencies by ignoring complaints, stalling complaints and passing the buck.

The buck stops now.

Lee Kent Hempfling  
PO Box 6932  
Apache Junction AZ 85278  
480-332-1535

Federal Communications Commission  
Enforcement Bureau  
445 12th Street, SW  
Washington, DC 20554

Fax: 202-418-0232

March 10, 2004

**COPY OF EMAIL PROOF YOUR AGENCY HAS BEEN REVIEWING THIS COMPLAINT  
PRIOR TO THE DATE YOU CLAIM IT WAS SUBMITTED:**

Return-Path: <FCCINFO@fcc.gov>

Received: from gatekeeper2.fcc.gov ([192.104.54.4]) by lakemtai01.cox.net  
(InterMail vM.5.01.06.05 201-253-122-130-105-20030824) with ESMT  
id

<20040217164821.FZVH2424.lakemtai01.cox.net@gatekeeper2.fcc.gov>  
for <enticy@cox.net>; Tue, 17 Feb 2004 11:48:21 -0500

Received: by gatekeeper2.fcc.gov; id LAA14954; Tue, 17 Feb 2004  
11:48:20 -0500 (EST)

Return-Path: <Daryl.Duckworth@fcc.gov>

Received: from gatekeeper2.fcc.gov ([192.104.54.4]) by lakemtai04.cox.net  
(InterMail vM.5.01.06.08 201-253-122-130-108-20031117) with ESMT  
id

<20040225134557.JQSQ10898.lakemtai04.cox.net@gatekeeper2.fcc.gov>  
for <enticy@cox.net>; Wed, 25 Feb 2004 08:45:57 -0500

Received: by gatekeeper2.fcc.gov; id IAA17749; Wed, 25 Feb 2004  
08:45:56 -0500 (EST)

Received: from unknown(165.135.234.4) by gatekeeper2.fcc.gov via smap (V5.5)  
id xmafa6787; Wed, 25 Feb 04 08:45:46 -0500

Received: from P2PXCS02.fccnet.win.fcc.gov (p2pxcs02.fccnet.win.fcc.gov  
[165.135.240.61]) by smarthost2.fcc.gov with ESMT for enticy@cox.net; Wed,  
25 Feb 2004 08:45:47 -0500

Received: from GBPXMB04.fccnet.win.fcc.gov ([165.135.102.43]) by  
P2PXCS02.fccnet.win.fcc.gov with Microsoft SMTPSVC(5.0.2195.6713);  
Wed, 25 Feb 2004 08:45:46 -0500

X-MimeOLE: Produced By Microsoft Exchange V6.0.6375.0

content-class: urn:content-classes:mdn

MIME-Version: 1.0

Content-Type: multipart/report;  
report-type=disposition-notification;

boundary="----\_=\_NextPart\_001\_01C3FBA5.ABD0F24F"

Subject: Read: 4th Submission of Complaint To the FCC

Date: Wed, 25 Feb 2004 08:45:46 -0500

Message-Id:

<CC13C41ECE603E4095D2C902964C1AB40EF0A5@gbpxmb04.fccnet.win.fcc.gov>

Thread-Topic: 4th Submission of Complaint To the FCC

Thread-Index: AcPwq9VHTseTIuP0TuupFx7BMdva7QK+daLw

X-Priority: 1

Importance: high

From: "Daryl Duckworth" <Daryl.Duckworth@fcc.gov>

To: "lkh" <enticy@cox.net>

X-OriginalArrivalTime: 25 Feb 2004 13:45:47.0040 (UTC)



FILETIME=[AC009200:01C3FBA5]

This is a multi-part message in MIME format.

-----=\_NextPart\_001\_01C3FBA5.ABD0F24F  
 Content-Type: text/plain;  
 charset="iso-8859-1"  
 Content-Transfer-Encoding: quoted-printable

Your message

To: FCCINFO  
 Subject: 4th Submission of Complaint To the FCC  
 Sent: Wed, 11 Feb 2004 09:31:59 -0500

was read on Wed, 25 Feb 2004 08:45:46 -0500

-----=\_NextPart\_001\_01C3FBA5.ABD0F24F  
 Content-Type: message/disposition-notification  
 Content-Transfer-Encoding: 7bit

Final-Recipient: RFC822; Daryl.Duckworth@fcc.gov  
 Disposition: automatic-action/MDN-sent-automatically; displayed  
 X-MSEch-Correlation-Key: a5bBWt7kRkuLhw1F3+Z8bA==

-----=\_NextPart\_001\_01C3FBA5.ABD0F24F--

Return-Path: <FCCInfo@fcc.gov>  
 Received: from gatekeeper2.fcc.gov ([192.104.54.4]) by lakemtai05.cox.net  
 (InterMail vM.5.01.06.08 201-253-122-130-108-20031117) with ESMTTP  
 id <20040310153323.LYDW3037.lakemtai05.cox.net@gatekeeper2.fcc.gov>  
 for <enticy@cox.net>; Wed, 10 Mar 2004 10:33:23 -0500  
 Received: by gatekeeper2.fcc.gov; id KAA01180; Wed, 10 Mar 2004 10:33:22 -0500 (EST)  
 Received: from unknown(165.135.240.201) by gatekeeper2.fcc.gov via smap (V5.5)  
 id xma001175; Wed, 10 Mar 04 10:33:09 -0500  
 Message-ID: <8814509.1078932790769.JavaMail.SYSTEM@P2PREM01>  
 Date: Wed, 10 Mar 2004 10:33:10 -0500 (EST)  
 From: FCCInfo <FCCInfo@fcc.gov>  
 Reply-To: FCCInfo <FCCInfo@fcc.gov>  
 To: enticy@cox.net  
 Subject: RE: 4th Submission of Complaint To the FCC  
 Mime-Version: 1.0  
 Content-Type: multipart/alternative;  
 boundary="-----=\_Part\_2156\_27519670.1078932790722"  
 X-Priority: 3  
 Organization: FCC

-----=\_Part\_2156\_27519670.1078932790722  
 Content-Type: text/plain; charset=ISO-8859-1  
 Content-Transfer-Encoding: quoted-printable

You are receiving this email in response to your inquiry to the FCC on 3/10=  
 /2004 10:30:59 AM.

Thanks for contacting the FCC Consumer Center in Gettysburg, PA.

Complaints involving broadcast rules should be sent in writing to:

Federal Communications Commission  
Enforcement Bureau  
445 12th Street, SW  
Washington, DC 20554

Fax: 202-418-0232

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Complaint Before The  
Federal Communications Commission  
Mass Media Bureau  
445 12th Street, SW  
Washington, D.C. 20554

THIS IS NOW THE FIFTH SUBMISSION OF THIS COMPLAINT TO THE FCC

In the Matter of )  
)  
L.M. Communications Inc. )  
Parent Corporation of Radio Station )  
WCOO(FM), Kiawah Island, SC )  
L.M. Communications of South Carolina Inc. )  
Co-Operator of Radio Station )  
WCOO(FM), Kiawah Island, SC )  
L.M. Communications II of South Carolina Inc. )  
Licensee of Radio Station )  
WCOO(FM), Kiawah Island, SC )  
)  
Submitted 13 August, 2002 By )  
Lee Kent Hempfling )  
53 Muirfield Parkway )  
Charleston, S.C. 29414 )  
Telephone: 843-327-1996 }

Submitted 11 February, 2004 By )  
Lee Kent Hempfling )  
PO Box 6932 )  
Apache Junction AZ 85278 )  
Telephone: 480-332-1535 }

Submitted 10 March, 2004 By )  
Lee Kent Hempfling )  
PO Box 6932 )

Apache Junction AZ 85278 )  
Telephone: 480-332-1535 }

Details of WCOO: }

WCOO SC KIAWAH ISLAND USA

Licensee: L.M. COMMUNICATIONS II OF SOUTH CAROLINA INC.  
Service Designation: FM 'Full Service' FM Station or Application

288C2 105.5 MHz Licensed  
File No.: BLH -20011012AAX Facility ID No: 50729  
CDBS Application ID No.: 584316  
Antenna Structure Registration Number. (ASRN): 1217880

32 ° 39' 57.00" N Latitude  
80 ° 03' 11.00" W Longitude (NAD27)

Polarization: Horizontal Vertical  
Effective Radiated Power (ERP): 50.0 50.0 kW ERP  
Ant. Height Above Average Terrain (HAAT): 133. 133. meters HAAT  
Ant. Radiation Center Above Mean Sea Level: 135.0 135.0 meters RCAMSL  
Ant. Radiation Center Above Ground Level: 133. 133. meters RCAGL

Not directional  
Not in a Border Zone

For Violations Of The Following: )

#### **APPLICABLE LAW AND RULE CITATIONS**

**Part 73 Sec. 73.1560 (d)** was not adhered to or followed in the requirement to "If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Services Division (radio) or Video Services Division (television), Mass Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored."

**Part 73 Sec. 73.1745** was clearly violated in the reduction of power of WCOO during the first phase of the spring Arbitron rating period by (a) No broadcast station shall operate at times, or with modes or power, other than those specified and made a part of the license, unless otherwise provided in this part.(b) Any unauthorized departure from an operating schedule which is required to be filed with the FCC in Washington, DC, will be considered as a violation of a material term of the license.

**Part 73 Sec. 73.1870** was violated by Mike Almond (Mike Allen) during the period of low power transmission by his position as chief operator where he (c) shall maintain supervisory oversight sufficient to know that each requirement has been fulfilled in a timely and correct manner. 3) Review of the station records at least once each week to determine if required entries are being made correctly. Additionally, verification must be made that the station has been operated as required by the rules or the station authorization. Upon completion of the review, the chief operator or his designee must date and sign the log, initiate any corrective action which may be necessary, and advise the station licensee of any condition which is repetitive.

**Part 73 Sec. 73.4180** Before I instituted a Payola, Plugola, kickback policy and required all staff to sign the disclosure documents (after learning that the station did not have such compliance in force) Linda Logan advertised her own DJ service on the air without payment to the station and in doing so devoted air time each day following a DJ job in thanking and recognizing the businesses and persons who had paid her to perform the out of station position and did advertise her own service without payment to the station. Upon initial objection to this illegal function management dismissed the problem. It took contacting the consultant to acquire a Plugola, Payola standard form in order to comply with this rule.

**Part 73 Sec. 73.4097 EBS** (now EAS) attention signals on automated programming systems.

**Part 73 Sec. 73.1300** Unattended station operation. "Broadcast stations may be operated as either attended (where a designated person is responsible for the proper operation of the transmitting apparatus either at the transmitter site, a remote control point or an ATS control point) or unattended (where highly stable equipment or automated monitoring of station operating parameters is employed). No prior FCC approval is required to operate a station in the unattended mode. Regardless of which method of station operation is employed, licensees must employ procedures which will ensure compliance with Part 11 of this chapter, the rules governing the Emergency Alert System (EAS)."

## **DISCUSSION AND ALLEGATIONS:**

In reference to: **Part 73 Sec. 73.1560. [1]**

On or about three weeks prior to May 2, 2002 (approximately April 11 through the 18th, 2002) while the WCOO main transmitter was turned off and the station was broadcasting from its back-up transmitter said back up transmitter was purposely operating at between 35 and 50 percent of authorized power. The Commission was not advised of this purposeful reduction in power as the intent was to defraud the market of the WCOO transmission thereby affecting the ratings outcome and the rates and revenue structure of the market. Bruce Musso, the engineer of WCOO, purposely consummated this act. At no time did WCOO advise the Commission of low power in violation of this section.

During the above-mentioned time frame numerous phone calls were received to WCOO by listeners complaining of being unable to pick up the station from areas that are well within the

normal contour. Phone calls were received from employees (Joel Barnes, Dan Williams, Ken French, John Majhor) advising they could not pick up the station. John Majhor's wife Sirit advised of her beauty parlor being unable to pick up the station when they normally listened regularly throughout the day.

When these calls were mentioned to General Manager Charlie Cohn his response was to

- 1: Identify the location as being too far away to be relevant or
- 2: Identify the problem as being 'temperature inversion' or
- 3: Advise the solution was a tube replacement in the main transmitter.
- 4: Not at any time did Charlie Cohn deny the station was not running at full authorized power.

The event which took the main transmitter off the air was referred to as a 'lightning strike' by the Chief Operator. The Program Director of WCOO was not advised and had no knowledge of a 'lightning strike'. Listening to WCOO it was not evident that any such interruption took place.

No such 'temperature inversion' problems were evident by sister station WYBB-FM which is located on the same tower during the above-mentioned time frame.

The Orban station processor was re-set by consultant Don Hallett and Chief Engineer Phillip Fraley on an in station visit as it had been set to make the station sound very dull. Immediately after their departure engineer Bruce Musso hacked into the re-set security codes of the Orban and changed the settings back to the dull and aggravating settings used prior to the change by Hallett and Fraley in a clear attempt to further damage the station's ability to be listened to.

In reference to: **Part 73 Sec. 73.1745**

In so reducing power WCOO violated this section.

In reference to: **Part 73 Sec. 73.1870**

The Chief Operator either did not certify logs properly or falsified logs to be certified during the above-mentioned time frame.

In reference to **Part 73 Sec. 73.4180**

At no time during the station's entire history prior to [3] April 1, 2002 did the station or its sister station WYBB-FM ever have or require the signature of employees on a payola-plugola statement. Such statement was drafted (see [3]) from copies provided by the consultant (Don Hallett) after I inquired if the

Station had such statements on file as I had never been asked to sign one and had been dealing with a Plugola issue with midday person Linda (Logan) Grumbein which had been going on for some time as she plugged the companies and people she had performed outside DJ services for and would be performing for. I instituted such statement and required all on air staff to sign it.

In reference to **Part 73 Sec 73.4097**

Eas tests logged and certified as being completed between the hours of 6PM and 5:30AM Monday through Friday and from 6PM till 10AM Saturday and Sunday were technically unable to be completed as the station's EAS system requires a manual operator to activate the test tone equipment between two audio elements of a prerecorded EAS Test announcement. During such unmanned hours all tests certified as performed were fraudulent.

In reference to **Part 73 Sec. 73.1300**

"Regardless of which method of station operation is employed, licensees must employ procedures which will ensure compliance with Part 11 of this chapter, the rules governing the Emergency Alert System (EAS)." The station fails to ensure compliance with Part 11 while fraudulently certifying compliance.

**ATTACHMENTS:**

Emails attached [1], [2], [3]: demonstrate the violations and notice of them to the company consultant.

**SUMMARY:**

I ONCE AGAIN respectfully submit these allegations for investigation and commission action at the earliest possible opportunity to enforce commission rules and regulations. This is the FIFTH submission of this complaint to the FCC.

\_\_\_\_\_ [SIGNED] \_\_\_\_\_  
 Lee Kent Hempfling  
 PO Box 6932  
 Apache Junction AZ 85278  
 P: 480-332-1535  
 Email: lkh@rollovermartin.com

[1]

----- Original Message -----  
 From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Thursday, May 02, 2002 5:58 PM  
 Subject: Re: Air Force People

Well... I'm not aware of any such delivery... I brought it up and that was that... and as far as the aircheck machine is concerned.. it could be done for even less... a relay on the mic switch to a cheap cassette machine (there are some in the engineering room, John was talking about them

last week) and a line to the monitor receiver and wham... a real aircheck machine... and no wires to string... going to have to have control room work done soon anyway for the upcoming beach music (but its not called that, its called Sand Tunes) show that is being sold to the Holiday Inn for late Sunday nights during the summer requires two RCA lines for two mini disk machines Leo Windham will use to do the show.. Woody has moved on to another town... show is barter with Leo... and is making Folly beach happy... Bob Brooks was bringing that engineering duty up with Charlie this afternoon... finally got the new tube installed on the primary transmitter today.. have advised arbitron of our being 50% to 35% of power for the past three weeks...

>Did the engineer from Lexington not hook you up with a care package to wire >the existing 98ROCK machine for both studios in a spot on the rack in >engineering as we had discussed?

[2]

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Thursday, May 02, 2002 7:37 PM

Subject: Re: Air Force People

ENTIRE MESSAGE CONFIDENTIAL

(after reading this over... when you read it DO NOT think I'm whining... I'm doing what I do... telling the truth but I can't do a damn thing about it)...

Well... now you know how I've been feeling... sad isn't it...

I'll try not to go into the rest of it... to save you the headache... on this subject:.. I did NOT know the primary tube was bad... was not told Cool was suffering transmitter problems... got a few calls about losing the station and the answer was that it was a bad area... then I overheard Mike talking about Cool and of course I listened in... then asked later and he told me the primary tube was about to die... I kept my composure (ain't nobody seen me sweat yet)... not once was I told about Cool's transmitter problems until Mike then told me the station was switched to the backup transmitter as Bruce had given the primary a max 30 days before toastville... (to paraphrase of course since I'm being happy) but I had to ask about it ....

To make a three week excursion shorter... Last week a call from a beauty shop I was told was 50 miles away (is John's wife's beauty shop which ain't no 50 miles away) and there was no problem. I kept asking every

couple of days (of Mike since he's OM, I've been nice)... and it was that first Lynn had to actually buy one, then that Bruce had to install it, then that Bruce was going to install it, then that it would be this week then today a call from SUMMERVILLE of all places telling me the station was GONE!... then John called and said at his apartment (2 miles from the station's location) his portable walkman was getting bleed from 105.7 and we were weak... after the 9am air shift was done I walked into the sales meeting (staying in the doorway) and more or less demanded to know when Cool was going to go full power again... the answer was today... (you have no idea how much restraint I've used in this whole thing) then at noon in the middle of the request Cool Cafe feature the station kept going off and on and off and on and Linda came out to inform me that according to Bruce the station was at about 35% of power and he was replacing the tube and Charlie had called to tell her it was happening but nobody informed me.. Doesn't matter... I know I don't... each get together over the past few weeks regarding the Linda thing has been spiced with things like Alice changing formats opens a hole in the market should be all 80's, what are we going to do with Cool... that I am not focused, (bullshit) that the Linda thing is a matter of not managing by me (bullshit) it has been a "rough road" indeed Don.. and deeper... (which was topped I might add two days ago when she found out (I just found out today from Ken) that Trish came into the building to give Ken something and she told John in the 10 till cross over that she was 'outta here and I'll make sure the door doesn't hit ME in the rear' (which all makes sense now that Ken made it clear this afternoon) which caused me to go ballistic but there was no use in saying anything I can't fire the bitch... John was completely stunned and didn't respond and you supposedly support keeping her, to which I responded you don't have to work with her... and then Trish leaves a message on Ken's voice mail asking if she can apply for the midday position since she heard a rumor (ask Ken I'm fuzzy on what it was) about middays being open soon and I can't talk to her since Lynn last said to us all not to talk to her until he said so... and I asked Ken why was it if we were going to save the midday salary to pay for Stern why we just didn't cut it out now which would mean I'm being punished for getting rid of Linda because no savings will happen until I do a baaaaad thing like clean the house of shit... oh well I should stay happy... and then there's Citadel supposedly firing a bunch of staff but the only thing fired was admin and sales positions , I was to wait to look for one of them but I can only get one to do a couple of hours live and track the rest and there is a **WHOLE HELL OF A LOT MORE..** but oh well... I know when the only way to get me out of the building is to destroy my ability to make the station get numbers and then wham... the real problem is solved and everything can go back to like it was MONTHS before I got there... like I told Pam weeks ago... Geesh.... I didn't dump this load I'm just



trying to flush it.. she laughed... Its making me literally sick... they know I have a high blood pressure problem and until very recently I didn't have insurance, now I do.. watch how cool and calm I'll be when I'm taking medication... not prozac like Linda just a simple blood pressure pill or two.... man oh man... I've never seen a more (dare I say it, sure its confidential).... no I won't I'm a gentleman... and each time something happens to supposedly calm things down the dirty tricks get worse, the backstabbing gets worse and the mess gets deeper... now that Stern is there Cool is totally irrelevant... again.... and if it comes in real bad like the plan is to make it be... i'll be gone... all of the crap that has happened and nothing has been done to fix a thing... 'cept to make me out to look like the devil, the evil one...the we don't talk to him at ALL guy... the i'm not permitted to talk to Lynn again guy (without advance permission, which doesn't apply to Mike but does apply to ANY MEMBER OF MY FAMILY)... (you have no idea how hard I started to laugh but stopped cause now that my wife knows Charlie pulled that crap.... ) actually it was if I call that area code he better know about it and approve it first... from me or any member of my family unless its my talking to ONLY PAM.... how dare he.... and there is no way that will ever work.... but I'm not leaving.... I will not get mad, blow up and quit... I have been insulted every single day since I've been there except for the first three days... for some reason... the not permitted to put anything in writing guy.. and the one the people in the building who care (and believe it or not there are those people) see as the fix of the station... and I wasn't going to dump on you... I am truly sorry... but I know how it feels to be pissed... I stay that way... but there ain't no one who has viewed it... 'cept my wife... and they won't... you told me to knock down the walls without stirring anything up, without causing fights... and that is what I've tried to do... Lynn said he does not have politics in his business but that is all it has been as I watch what I say to whom I say it and watch my back more than I watch the music (and I live in that now as there is nothing else i can do)... EVERY SINGLE PROMOTION I submitted for Spring was killed... oh hell... that's enough... you're a great guy Don... you don't deserve my rambling... I was told Lynn has lost respect for me because I could not get Charlie when he was gone and all hell broke loose... I'm a thorn in the building and by -god they are going to get rid of me... Chris Cantrell was cut out of the engineer race without being contacted because he "doesn't know enough about transmitters" the hell he doesn't... but oh well one more thing then I'll shut up... Charlie tried to talk me into using Bobby for afternoon drive instead of hiring John... now Bobby's not good enough to fill in while a real midday person is found (and YES DAMMIT ... I WANT A BLACK FEMALE... Trish is the only one I know of in this town that loves the station) and I shall be punished for getting Linda the marijuana salesman out of the building... geesh man.. I'm glad I can work on the house....

ps: All of the great response to the parody song and NOT ONE PERSON

that MATTERS GIVES A SHIT (cep't Ken)..... I am doing absolutely NOTHING WRONG yet the concern is when and how this job is going to get destroyed... I am treated like an idiot... not talked to... lied to... set up constantly and the funny thing is I know it ... can see it coming and can out manage the entire thing.. which has kept me from being destroyed so far...

I'll be blunt... all of my training tells me being a former cop is the problem... its what 1500 hours of public peace officer and investigative training will do...

END CONFIDENTIAL... sorry I have to do that he wants me OUT!!!!

[3]

----- Original Message -----

From: DWHALLETT@aol.com

To: leekent@comcast.net

Cc: NEWAVECOHN@aol.com ; lmccohn@hotmail.com

Sent: Thursday, March 28, 2002 6:03 PM

Subject: Re: John Majhor

In a message dated 3/28/02 4:51:10 PM Eastern Standard Time, leekent@comcast.net writes:

You need to talk to Lynn about the personal advertising issue.

Lee:

If he is opposed, I'm opposed. Company decision. Talk to Charlie. He can help you clarify and enforce whatever the policy is or becomes.

You asked for Plugola/Payola policy stuff. A number are attached in various formats. I particularly like the documents from COX. Infinity's are strong as well.

Regards--  
DWH



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Charlotte District Office**

129 West Trade Street, Suite 400  
Charlotte, NC 28202  
(704) 344-6682  
TTY (704) 344-6684  
FAX (704) 344-6734 & 6731

March 16, 2004

Charge Number 140A201867  
Hempfling vs LM Communications

Mr. Lee Kent Hempfling  
P. O. Box 6932  
Apache Junction, Arizona 85278

Dear Mr. Hempfling:

The processing of your charge of employment discrimination in the above referenced matter has been completed. The Equal Employment Opportunity Commission (EEOC) is dismissing your charge and is issuing you a Notice of Right To Sue.

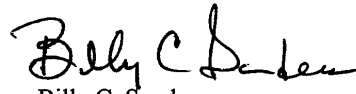
The evidence obtained by the Commission indicates that after five and a half months of employment you were discharged from your position because of unsatisfactory job performance. The evidence obtained by the Commission reveals that the offensive e-mails from your co-worker as well as anti-Semitic e-mail from non-station employees do not rise to the level of religious harassment that violates Title VII of the Civil Rights Act of 1964, as amended. It is undisputed that you complained about your co-workers, however, your complaints were not about religious discrimination. It is also undisputed that your co-workers complained about you and felt that you were harassing them and violating their Civil Rights. The evidence obtained by the Commission also reveals that you did not have to accept a Black Female's Letter of Resignation submitted to you on February 28, 2002, wherein she specifies the conditions under which she would continue her employment with the station. However, you pre-selected a male as well as sought and obtained a salary of \$30K per year for him and recommended the hiring of another male. No evidence was presented that shows you opposed a Black Female not being rehired by the station or that prior to your discharge you participated in an employment discrimination investigation of the station relative to failure to hire minorities. The evidence shows that you had the opportunity to hire another Black Female applicant but claims she lacked experience and needed training as well as promote another Black Female who you did not have time to train. Other than your verbiage, no evidence was presented that shows your intent to hire minorities especially Black Females or that you opposed the station's failure to hire minorities. Therefore, despite your claims, the decision to discharge you had nothing to do with your opposing discrimination in the workplace or your participating in an investigation of discrimination in the workplace. With respect to your being subjected to discriminatory terms and conditions of employment, no evidence was presented that shows your terms and conditions of employment were any different than your co-workers.

In view of these facts, it is unlikely that further investigation of your charge will result in a finding that a violation of the law(s) under which you filed your charge has occurred. For that reason, we have dismissed your charge and closed your file.

Enclosed you will find a Dismissal Notice of Right To Sue and, Information Sheet which describes your right to pursue the matter in court by filing a lawsuit within 90 days of your receipt of the dismissal notice. This 90 day period for filing a private lawsuit cannot be waived, extended, or restored by EEOC.

I regret that we cannot be of further assistance to you in this matter.

Sincerely,

A handwritten signature in black ink that reads "Billy C. Sanders". The signature is written in a cursive style with a large, prominent "B" and "S".

Billy C. Sanders  
Program Manager  
(Outreach & Education)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No <i>Philadelphia, PA</i> JAN 16 2004</p>
<p>1. Article Addressed to: Civil Rights Division U.S. Department of Justice Office of Assistant Attorney General R. Alexander Acosta 950 Pennsylvania Ave, NW Washington DC 20530</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)       7003 1010 0002 5611 3851</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPRI-03-P-4081

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No <i>Philadelphia, PA</i> JAN 16 2004</p>
<p>1. Article Addressed to: U.S. Department of Justice The Honorable John Ashcroft Office of the Attorney General 950 Pennsylvania Ave., NW Washington DC 20530-0001</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)       7003 1010 0002 5611 3905</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPRI-03-P-4081

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No <i>Philadelphia, PA</i> JAN 16 2004</p>
<p>1. Article Addressed to: The Honorable Roy Cooper NC Office of the Attorney General North Carolina Dept. of Justice P.O. Box 629 Raleigh, N.C. 27602-0629</p>	<p>3. Service Type <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)       7003 1010 0002 5611 3868</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPRI-03-P-4081



BOX 6932  
 Apache Junction AZ 85278

*RETURNED TO SENDER*

Criminal Section  
 Civil Rights Division  
 U.S. Department of Justice  
 P.O. Box 66018  
 Washington, D.C. 20035-6018

*Box Closed*

**TIME SENSITIVE  
 NOTARIZED CRIMINAL COMPLAINT**



\*\*\*\*\* WELCOME TO \*\*\*\*\*  
 APACHE JUNCTION MPO  
 APACHE JUNCTION, AZ 85220-9998  
 01/23/04 04:48PM

Store USPS	Trans 118
Wkstn sys5007	Cashier XWOPBB
Cashier's Name	JEAN
Stock Unit Id	SSA42
PO Phone Number	800-275-8777
USPS #	0363680130

1. Other Mail Pickup 0.00  
 Event Code: Delivered

Subtotal 0.00  
 Total 0.00

Pickup Date/Time: 01/23/04 04:48PM  
 Number of Mailpieces Processed: 1

Number of Items Sold: 1

Thank You  
 Please come again!



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)                  EEOC Executive Secretariat                  1801 L Street, NW                  Washington, DC 20507</p> <p>C. Date of Delivery                  1/16/04</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  if YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:                  U.S. Equal Employment Opportunity Commission                  The Honorable Cari M. Dominguez                  Office of the Chair                  1801 L Street, N.W.                  Washington, DC 20507</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number                  (Transfer from service label) 7003 1010 0002 5611 3936</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPR0-03-P-4081

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)                  [Signature]</p> <p>C. Date of Delivery                  JAN 16 2004</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  if YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:                  Federal Communications Commission                  The Honorable Michael Powell                  Office of the Chairman                  445 12th Street SW                  Washington, DC 20554</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number                  (Transfer from service label) 7003 1010 0002 5611 3929</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPR0-03-P-4081

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)                  [Signature]</p> <p>C. Date of Delivery                  JAN 16 2004</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  if YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:                  U.S. Dept. of Justice                  The Honorable Glen A. Fine                  Office of the Inspector General                  950 Pennsylvania Ave NW,                  Suite 4322                  Washington, DC 20530-0001</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number                  (Transfer from service label) 7003 1010 0002 5611 3912</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPR0-03-P-4081

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee  <i>M. Dunlop</i></p> <p>B. Received by (Printed Name)  <i>M. DUNLOP</i></p> <p>C. Date of Delivery  <i>1/15/04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                      If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:                      The Honorable Henry McMaster                      Office of the Attorney General                      Rembert Dennis Building                      1000 Assembly Street                      Room 519                      Columbia, S.C. 29201</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number                      (Transfer from service label) 7003 1010 0002 5611 3882</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPRI-03-P-4081

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee  <i>Dunlop</i></p> <p>B. Received by (Printed Name)  <i>M.D.</i></p> <p>C. Date of Delivery  <i>1/16/04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                      If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:                      Federal Bureau of Investigation                      The Honorable Robert S. Mueller                      Office of the Director                      J. Edgar Hoover Building                      935 Pennsylvania Ave, NW                      Washington DC                      20535-0001</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number                      (Transfer from service label) 7003 1010 0002 5611 3950</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPRI-03-P-4081

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee  <i>Sanford</i></p> <p>B. Received by (Printed Name)  <i>Lamont Salley</i></p> <p>C. Date of Delivery  <i>1/15/04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                      If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:                      The Honorable Governor Mark Sanford                      Office of the Governor                      P.O. Box 12267                      Columbia, SC 29211</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number                      (Transfer from service label) 7003 1010 0002 5611 3943</p>	
PS Form 3811, August 2001	Domestic Return Receipt 2ACPRI-03-P-4081



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: J. Strom Thurmond, Jr. First Union Building 1441 Main Street Suite 500 Columbia, S.C. 29201	B. Received by (Printed Name) B. Bradshaw	C. Date of Delivery 01/15/01
2. Article Number <small>(Transfer from service label)</small>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7003 1010 0002 5611 3875		
PS Form 3811, August 2001	Domestic Return Receipt	2ACFR03-P-4001





**Phoenix, Arizona (March 10, 2004)** Today, an email pretending to be from 'Linda Logan', who's true name is 'Linda Grumbein' was received by Lee Kent Hempfling. The letter follows the line of threat placed against Mr. Hempfling by EEOC Program Manager Billy C. Sanders and was transmitted from a HotMail address unable to be determined to be valid and genuine.

This is that letter, (headers are available on the site  
<http://www.rollovermartin.com>):

Mr. Kent,  
 If you do not remove my name from ALL your websites, I will go to a lawyer and get a cease and desist order. After all the pain and misery you put me through, how dare you put my name in your phoney suit. The government won't do anything about it because you are crazy and you deserved to be fired, not for trying to hire a black employee, but because you were a lazy troublemaker who refused to help Mike Allen when the Commercial computer was down. You were never a team player and you hated everyone at the station. I'd say the problem was YOURS, not everyone else's.  
 Linda

The letter was received following the posting of the domain name <http://www.civilrightsfordummies.com> on the AllAccess.Com radio talk board. Grumbein was fired by the station last year.

EEOC Program Manager Billy C. Sanders sent this email to Hempfling on August 20, 2003 following a meeting with Hempfling and after Sanders demanded a letter from Patricia Thompson about Hempfling's EEOC claim:

This is Sanders' Letter:

Does not work that way. In fact, the documents in her file don't mention you in a positive way because she feels you were part of her problem and did not go to bat for her for a full time job so you will need a statement from her to support some of your case. RE: Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info. But we will cross them bridges when we get to them. I am waiting to hear from their attorney re the Fact Finding Conference. I will be leaving the office shortly and will not be back until next Wednesday so if you need me you can call me on my cell @ (704) 564-9464.  
 C U Later

True to form, the threat made by an EEOC Employee of reversing the harassment charges against the victim as the defense is holding strong.

Not only is Linda Grumbein's name not on the CivilRightsForDummies.Com site it is only contained within documents at RollOverMartin.Com that are in public record submitted to governmental agencies. EEOC will claim them not to be as they were contained within Patricia Thompson's complaint. But Hempfling has a copy of the original complaint provided to him by Thompson.

Further detail of Ms. Grumbein's activities and collusion in the attacks upon Mr. Hempfling in retaliation for attempting to hire an African American Female full time are contained within secured documentation available only to law enforcement and in the documents received by the EEOC itself.

Not only is this threat a continuation of the intimidation by L.M. Communications, following the exact threat made by an officer of the EEOC's Charlotte District Office, it is an affront to logic.

The true Mrs. Grumbein knows full well the documents containing her name, including the letter she wrote threatening to sue the station and Hempfling for daring to critique her on-air presentation (the job of the Program Director) and the letters from Patricia Thompson mentioning what Mrs. Grumbein said and did are damning to the defense of a reverse intimidation claim.

There is no way to prove the letter received today is actually from Linda Grumbein. Server logs immediately preceding the time of the letter show visits to the sites from Comcast Cable in Charleston, which last known, was the access provider for Grumbein.

That address had spent from just prior to 10AM to 5PM today pouring over the contents of Rollovermartin.Com.

"In all sense of contemplation, do they really think I'm scared?", said Hempfling.

"Sanders threatens in writing, in Government email, to use the reverse intimidation angle as a defense for the radio station, threatens my reputation in the process, and these people seriously think they can scare me out of doing what is right?"

"I hope the person posing as Logan", said Hempfling, "is pleased to know their letter just guaranteed a position on the websites in something other than a publicly available, public record, legal document."

"Yes," said Hempfling, "now the threats and attacks begin in counter response to documented claims of reverse discrimination the EEOC has not ruled on, the FCC keeps losing complaints regarding and now the 'plan' kicks in when all the action has done, is show how desperate the defense to the allegations are."

###

Federal Bureau of Investigation  
151 Westpark Blvd  
Columbia, South Carolina 29210-3857

August 13, 2002

Requesting Investigation and Prosecution:

I must bring this to your attention as it has caused aggravating circumstances in my life and employment and these acts have contributed grossly to such:

It is my belief that Bruce Musso either used the computer of the person or persons mentioned below to transmit the below email to me as a threat (I am Jewish) or caused the transmission of the below emails to me by the person or persons of origin.

Following the September 11, 2001 terrorist attack on our nation ANY use of armed terrorist information directed at an individual is repulsive and illegal and such act (s) should not go un-investigated and un-prosecuted.

These emails were received by me at both personal email addresses and through a web based form on my personal web page and were directed at me with the intent of intimidating, attacking, threatening and causing fear and a sense of panic for reasons I believe to be illegal in nature and detailed below.

These are the emails I have received from Bruce Musso:

>From: Bruce Musso <brucemusso@comcast.net>  
>To: lk@leekent.com  
>Date: Wed, 13 Mar 2002 21:29:16 -0500  
>  
>You Suck

>From: Bruce Musso <brucemusso@comcast.net>  
>To: lk@leekent.com  
>Date: Fri, 15 Mar 2002 17:55:21 -0500  
>  
>dream on, if you don't want mail don't post your address

>From: Bruce Musso <brucemusso@comcast.net>  
>To: lk@leekent.com  
>Date: Fri, 15 Mar 2002 07:59:53 -0500  
>  
>you still suck

>From: Bruce Musso <brucemusso@comcast.net>  
>To: lk@leekent.com  
>Subject: cry baby  
>Date: Fri, 15 Mar 2002 22:37:55 -0500  
>  
>

>comcast said, if you can't stand the heat get off the web  
 >  
 >  
 >  
 >  
 >your's truly  
 >  
 >Bruce **Mussolina**

The use of a known mass murderer's name is further evidence of a sick and twisted attempt to intimidate, attack and threaten.

The following was received by me through a web form on my personal web site:

Page viewed: mailme  
 Name: Bruce Musso  
 Email: brucemusso@comcast.net  
 Location: Charleston  
 Comments: you still suck, why are you still here?  
 Status: old

On 23.3.2002 at 08:05:34 AM  
 User:  
 Identity:  
 Host: 68.58.160.7  
 Address:68.58.160.7  
 Software: Mozilla/4.0 (compatible; MSIE 5.5; Windows 98; sureseeker.com  
 Referer: http://64.176.52.217/lk/leekentcool.cgi?action=contact

These are the emails received by me; caused to be created by or directly created by Bruce Musso while using another person's email account.

> >From: "Donald Strawn" <xradio@bellsouth.net>  
 > >To: "Lee Kent" <lk@LeeKent.com>  
 > >Subject: Kiss My Cheeks  
 > >Date: Fri, 15 Mar 2002 22:17:45 -0500  
 > >  
 > >Mr. Morning Dick Jockey  
 > > This man would love to kiss yo cheeks!  
 >  
 >



Return-path: <garylemel2000@yahoo.com>  
 Received: from bright02.icomcast.net (bright02-qfe0.icomcast.net [172.20.4.9])  
 by msgstore03.icomcast.net  
 (iPlanet Messaging Server 5.1 HotFix 0.6 (built Apr 26 2002))  
 with ESMTP id <0GW800G67G3W2J@msgstore03.icomcast.net> for  
 leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Thu,  
 16 May 2002 21:57:32 -0400 (EDT)  
 Received: from mtain07 (lb-ldap-155.icomcast.net [172.20.3.155])  
 by bright02.icomcast.net (8.11.6/8.11.6) with ESMTP id g4H1vUL28656 for  
 <@msgstore03.icomcast.net:leekent@comcast.net>; Thu,  
 16 May 2002 21:57:31 -0400 (EDT)  
 Received: from mail2.directnic.com (mail2.directnic.com [66.79.10.202])  
 by mtain07.icomcast.net  
 (iPlanet Messaging Server 5.1 HotFix 0.6 (built Apr 26 2002))  
 with SMTP id <0GW800EKL3STU@mtain07.icomcast.net> for leekent@comcast.net  
 (ORCPT leekent@comcast.net); Thu, 16 May 2002 21:57:28 -0400 (EDT)  
 Received: (qmail 28649 invoked by uid 222); Fri, 17 May 2002 01:57:27 +0000  
 Received: (qmail 28645 invoked from network); Fri, 17 May 2002 01:57:27 +0000  
 Received: from web21504.mail.yahoo.com (66.163.169.15)  
 by mail2.directnic.com with SMTP; Fri, 17 May 2002 01:57:27 +0000  
 Received: from [68.58.160.7] by web21504.mail.yahoo.com via HTTP; Thu,  
 16 May 2002 18:57:26 -0700 (PDT)  
 Date: Thu, 16 May 2002 18:57:26 -0700 (PDT)  
 From: gary lemel <garylemel2000@yahoo.com>



To: lk@leekent.com  
 Message-id: <20020517015726.83956.qmail@web21504.mail.yahoo.com>  
 MIME-version: 1.0  
 Content-type: multipart/alternative; boundary="0-851751606-1021600646=:83827"  
 Delivered-to: leekent-com-lk@leekent.com

--0-851751606-1021600646=:83827  
 Content-Type: text/plain; charset=us-ascii

your station sounds muddy and mumbling,,,,,too bad so sad

-----  
 Do You Yahoo!?

LAUNCH - Your Yahoo! Music Experience

--0-851751606-1021600646=:83827

Content-Type: text/html; charset=us-ascii

your station sounds muddy and mumbling,,,,,too bad so sad<p><br><hr size=1><b>Do You Yahoo!?!</b><br>

<a href="http://rd.yahoo.com/welcome/\*http://launch.yahoo.com">LAUNCH</a> - Your Yahoo! Music Experience

--0-851751606-1021600646=:83827—

Return-path: <xradio@bellsouth.net>

Received: from bright03.icomcast.net (bright03-qfe0.icomcast.net [172.20.4.55])

by msgstore03.icomcast.net

(iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002))

with ESMTP id <0GZR009G7U8VUC@msgstore03.icomcast.net> for

leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Wed,

24 Jul 2002 16:58:10 -0400 (EDT)

Received: from mtain01 (bright-LB.icomcast.net [172.20.3.155])

by bright03.icomcast.net (8.11.6/8.11.6) with ESMTP id g60Kwwu20182 for

<@msgstore03.icomcast.net:leekent@comcast.net>; Wed,

24 Jul 2002 16:57:58 -0400 (EDT)

Received: from mail1.directnic.com (mail1.directnic.com [66.79.10.200])

by mtain01.icomcast.net

(iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002))

with SMTP id <0GZR008RRU7ZTZ@mtain01.icomcast.net> for leekent@comcast.net

(ORCPT leekent@comcast.net); Wed, 24 Jul 2002 16:57:44 -0400 (EDT)

Received: (qmail 26353 invoked by uid 222); Wed, 24 Jul 2002 20:57:31 +0000

Received: (qmail 26132 invoked from network); Wed, 24 Jul 2002 20:57:24 +0000

Received: from mail016.mail.bellsouth.net (HELO imf16bis.bellsouth.net)

(205.152.58.36) by mail1.directnic.com with SMTP; Wed,

24 Jul 2002 20:57:24 +0000

Received: from bitch ([67.33.210.21]) by imf16bis.bellsouth.net

(InterMail vM.5.01.04.19 201-253-122-122-119-20020516)

with SMTP id <20020724205546.YKRA9213.imf16bis.bellsouth.net@bitch>

for <lk@leekent.com>; Wed, 24 Jul 2002 16:55:46 -0400

Content-return: prohibited

Date: Wed, 24 Jul 2002 16:54:07 -0400

From: Donald Strawn <xradio@bellsouth.net>

Subject:

To: lk@leekent.com

Message-id: <000b01c23354\$416a7340\$02affea9@bitch>

MIME-version: 1.0

X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2600.0000

X-Mailer: Microsoft Outlook Express 6.00.2600.0000  
 Content-type: multipart/mixed;  
 boundary="-----=\_NextPart\_000\_0007\_01C23332.B9D6D200"  
 X-Priority: 3  
 X-MSMail-priority: Normal  
 Delivered-to: leekent-com-lk@leekent.com  
 This is a multi-part message in MIME format.  
 -----=\_NextPart\_000\_0007\_01C23332.B9D6D200  
 Content-Type: multipart/alternative;  
 boundary="-----=\_NextPart\_001\_0008\_01C23332.B9D6D200"  
 -----=\_NextPart\_001\_0008\_01C23332.B9D6D200  
 Content-Type: text/plain;  
 charset="Windows-1252"  
 Content-Transfer-Encoding: quoted-printable  
 -----=\_NextPart\_001\_0008\_01C23332.B9D6D200  
 Content-Type: text/html;  
 charset="Windows-1252"  
 Content-Transfer-Encoding: quoted-printable  
 <!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">  
 <HTML><HEAD>  
 <META http-equiv=3DContent-Type content=3D"text/html"; =  
 charset=3Dwindows-1252">  
 <META content=3D"MSHTML 6.00.2716.2200" name=3DGENERATOR>  
 <STYLE></STYLE>  
 </HEAD>  
 <BODY bgColor=3D#ffffff>  
 <DIV>&nbsp;</DIV></BODY></HTML>  
 -----=\_NextPart\_001\_0008\_01C23332.B9D6D200--  
 -----=\_NextPart\_000\_0007\_01C23332.B9D6D200  
 Content-Type: image/jpeg;  
 name="aboutlk.jpg"  
 Content-Transfer-Encoding: base64  
 Content-Disposition: attachment;  
 filename="aboutlk.jpg"



The latter received following my discharge from employment with L.M. Communications Inc., L.M. Communications of South Carolina Inc., and L.M. Communications II of South Carolina under the reason given as "poor performance of the station".

The reference to "Mr. Morning Dick Jockey This man would love to kiss yo cheeks!" depicting Palestinian gunmen raging before a billboard of Yassar Arafat is a clear threat to my personal well-being and a threat of bodily harm transmitted in email and an affront and attack on my religious and ethnic background.

Even though Bruce Musso, Donald Strawn, Gary Lemel, may be physically located within the State of South Carolina the transmissions took place over the Internet, which carried the mail through other states (Interstate transmission) before being delivered to me.

Following my discharge from the employer of both myself and Bruce Musso I received the "Victim of Musso Madness" email further indicating the intent of the original Palestinian gunmen email to have been malicious and threatening of serious bodily harm.

Bruce Musso boasts of carrying a firearm in his truck and boasts of his ability to use it having threatened to shoot the radio station transmitter and to use it against employees in the past.

I sincerely hope you will find the time to investigate and prosecute this individual and/or individuals for illegally threatening me with harm.

I believe my life and well being continue to be at risk from Bruce Musso as I was severely stressed and cautious during my employment watching for signs that Musso would be carrying his threats further toward bodily harm.

WCOO-FM General Manager Charlie Cohn admitted in email to me (copy attached in the letter to the owner of WCOO) that Musso was capable of hurting someone or something but Cohn either failed to act or refused to act to put a stop to the harassment and threats.

According to the Slang Dictionary the term "kiss" means "to punch" and when shown with armed, masked Palestinian gunmen can only mean to use a firearm to "punch".

I believe Bruce Musso lives at:

507 Stinson Dr., Charleston, SC 29407-6278

I believe Donald Strawn lives at:

128 Bear Den Rd, Blacksburg, SC 29702-8710

The name Gary Lemel resolves to the address

947 KNIGHTSBRIDGE DR FORT MILL SC

Which is close to where I understand Bruce Musso's home town.

I believe that someone put Bruce Musso up to doing these acts or instigated the motive for the attacks upon me as part of a much larger white collar criminal activity designed to manipulate and control the outcome of Arbitron ratings in the Charleston S.C. radio market during the Spring 2002 ratings period to benefit Citadel Broadcasting stations and my work at WCOO-FM, L.M. Communications was in the way of that arrangement. I do not have further proof of that belief although the problems at WCOO with Bruce Musso began after I disclosed that I was a former Hamilton County Ohio Deputy Sheriff with extensive law enforcement training.

I do know that circumstances were such that through the close relationship Charlie Cohn and Steve Jason (the General Manager of Citadel stations in Charleston) had which involved discussing business together, sharing information and Jason providing copies of embargoed Arbitron ratings reports to Cohn when WCOO was not a licensee of Arbitron which were specifically selected to show my performance in a poor light and conversations between Cohn and Ja-

son overheard by a salesman in the WCOO building indicate a collusion to defraud and a white collar criminal pattern of behavior to consummate potential price-fixing, manipulate the reporting of Arbitron diary information and do so to benefit Jason and Citadel Communications.

When I needed an afternoon personality Steve Jason told a man in Charleston to call me based upon Jason's discussion of WCOO with Cohn during a golf game.

When I needed a midday personality Steve Jason provided the name of one of his own part time staff members and Cohn provided a phone number for me to call to inquire of her interest, which turned out to be the main number for Citadel Communications.

Just a week ago the salesperson mentioned overheard Cohn talking on the phone to Jason trading dollar amounts for car dealer sales in the Charleston radio market.

What I do have knowledge of is sabotage committed by Bruce Musso on the transmitter and audio processing equipment of WCOO and that complaint has been filed with the FCC on August 13, 2002 via email. A copy of which is attached to this document.

I am also aware that word in the industry in Charleston is that Steve Jason, a close friend of L. M. Communications General Manager Charlie Cohn (and a former General Manager of L.M. Communications in Charleston) is or was a large importer of marijuana in the Lowcountry and one of his distributors was or is Linda (Logan) Grumbine the midday personality on WCOO. Grumbine was fired by L.M. Communications and then rehired at the direction of Steve Jason.

I advised ownership of the potential of drug dealing in the station building but that notice was ignored. Production Director Bobby (Collins) Stagg of WCOO-FM would have more information on the drug dealings in the building. He agreed to speak with the owner about the situation but was never contacted.

Additional attachments include the FCC complaint, the letter sent to Lynn Martin, owner of L. M. Communications for which there was no response received and the aforementioned emails referenced in this document.

I would have informed the FBI of these goings-on prior to my leaving L.M. Communications but I was fearful for my life and the safety of my wife and property because of Bruce Musso and was attempting to get the issues investigated and resolved through ownership as well as continuing my own investigation.

I look forward to the day when I do not have to be concerned about Bruce Musso causing bodily or physical harm to my wife, myself or my property and to the culmination of your investigation into the above potential illegalities.

---

Lee Kent Hempfling  
53 Muirfield Parkway  
Charleston, S.C. 29414  
Phone: 843-327-1996  
Email: leekent@comcast.net

Reference:

CITE 18 USC Sec. 875 01/26/98  
EXPCITE TITLE 18 - CRIMES AND CRIMINAL PROCEDURE  
PART I - CRIMES  
CHAPTER 41 - EXTORTION AND THREATS  
TEXT Sec. 875. Interstate communications  
(a) Whoever transmits in interstate or foreign commerce any communication containing any demand or request for a ransom or reward for the release of any kidnapped person, shall be fined under this title or imprisoned not more than twenty years, or both.  
(b) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than twenty years, or both.  
**(c) Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both.**  
(d) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.

Complaint Before The  
Federal Communications Commission  
Mass Media Bureau  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

In the Matter of )  
 )  
 L.M. Communications Inc. )  
 Parent Corporation of Radio Station )  
 WCOO(FM), Kiawah Island, SC )  
 L.M. Communications of South Carolina Inc. )  
 Co-Operator of Radio Station )  
 WCOO(FM), Kiawah Island, SC )  
 L.M. Communications II of South Carolina Inc. )  
 Licensee of Radio Station )  
 WCOO(FM), Kiawah Island, SC )  
 )  
 Submitted 13 August, 2002 By )  
 Lee Kent Hempfling )  
 53 Muirfield Parkway )  
 Charleston, S.C. 29414 )  
 Telephone: 843-327-1996 }

Details of WCOO: }

**WCOO SC KIAWAH ISLAND USA**

Licensee: L.M. COMMUNICATIONS II OF SOUTH CAROLINA INC.  
 Service Designation: FM 'Full Service' FM Station or Application

288C2 105.5 MHz Licensed  
 File No.: BLH -20011012AAX Facility ID No: 50729  
 CDBS Application ID No.: 584316

Antenna Structure Registration Number. (ASRN): 1217880

32 °39' 57.00" N Latitude

80 °03' 11.00" W Longitude (NAD27)

	Polarization:	Horizontal	Vertical
Effective Radiated Power (ERP):	50.0		50.0 kW ERP
Ant. Height Above Average Terrain (HAAT):	133.		133. meters HAAT
Ant. Radiation Center Above Mean Sea Level:	135.0		135.0 meters RCAMSL
Ant. Radiation Center Above Ground Level:	133.		133. meters RCAGL

Not directional

Not in a Border Zone

For Violations Of The Following: )

#### APPLICABLE LAW AND RULE CITATIONS

**Part 73 Sec. 73.1560** (d) was not adhered to or followed in the requirement to "If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Services Division (radio) or Video Services Division (television), Mass Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored."

**Part 73 Sec. 73.1745** was clearly violated in the reduction of power of WCOO during the first phase of the spring Arbitron rating period by (a) No broadcast station shall operate at times, or with modes or power, other than those specified and made a part of the license, unless otherwise provided in this part.(b) Any unauthorized departure from an operating schedule which is required to be filed with the FCC in Washington, DC, will be considered as a violation of a material term of the license.

**Part 73 Sec. 73.1870** was violated by Mike Almond (Mike Allen) during the period of low power transmission by his position as chief operator where he (c) shall maintain supervisory oversight sufficient to know that each requirement has been fulfilled in a timely and correct manner. 3) Review of the station records at least once each week to determine if required entries are being made correctly. Additionally, verification must be made that the station has been operated as required by the rules or the station authorization. Upon completion of the review, the chief operator or his designee must date and sign the log, initiate any corrective action which may be necessary, and advise the station licensee of any condition which is repetitive.

**Part 73 Sec. 73.4180** Before I instituted a Payola, Plugola, kickback policy and required all staff to sign the disclosure documents (after learning that the station did not have such compliance in force) Linda Logan advertised her own DJ service on the air without payment to the station and in doing so devoted air time each day following a DJ job in thanking and recognizing the businesses and persons who had paid her to perform the out of station position and did advertise her own service without payment to the station. Upon initial objection to this illegal function management dismissed the problem. It took contacting the consultant to acquire a Plugola, Payola standard form in order to comply with this rule.

**Part 73 Sec. 73.4097** EBS (now EAS) attention signals on automated pro-



gramming systems.

**Part 73 Sec. 73.1300** Unattended station operation. "Broadcast stations may be operated as either attended (where a designated person is responsible for the proper operation of the transmitting apparatus either at the transmitter site, a remote control point or an ATS control point) or unattended (where highly stable equipment or automated monitoring of station operating parameters is employed). No prior FCC approval is required to operate a station in the unattended mode. Regardless of which method of station operation is employed, licensees must employ procedures which will ensure compliance with Part 11 of this chapter, the rules governing the Emergency Alert System (EAS)."

#### **DISCUSSION AND ALLEGATIONS:**

In reference to: **Part 73 Sec. 73.1560.** [1]

On or about three weeks prior to May 2, 2002 (approximately April 11 through the 18<sup>th</sup>, 2002) while the WCOO main transmitter was turned off and the station was broadcasting from its back-up transmitter said back up transmitter was purposely operating at between 35 and 50 percent of authorized power. The Commission was not advised of this purposeful reduction in power as the intent was to defraud the market of the WCOO transmission thereby affecting the ratings outcome and the rates and revenue structure of the market. Bruce Musso, the engineer of WCOO, purposely consummated this act. At no time did WCOO advise the Commission of low power in violation of this section.

During the above-mentioned time frame numerous phone calls were received to WCOO by listeners complaining of being unable to pick up the station from areas that are well within the normal contour. Phone calls were received from employees (Joel Barnes, Dan Williams, Ken French, John Majhor) advising they could not pick up the station. John Majhor's wife Sirit advised of her beauty parlor being unable to pick up the station when they normally listened regularly throughout the day.

When these calls were mentioned to General Manager Charlie Cohn his response was to

- 1: Identify the location as being too far away to be relevant or
- 2: Identify the problem as being 'temperature inversion' or
- 3: Advise the solution was a tube replacement in the main transmitter.
- 4: Not at any time did Charlie Cohn deny the station was not running at full authorized power.

The event which took the main transmitter off the air was referred to as a 'lightning strike' by the Chief Operator. The Program Director of WCOO was not advised and had no knowledge of a 'lightning strike'. Listening to WCOO it was not evident that any such interruption took place.

No such 'temperature inversion' problems were evident by sister station WYBB-FM which is located on the same tower during the above-mentioned time frame.

The Orban station processor was re-set by consultant Don Hallett and Chief Engineer Phillip Fraley on an in station visit as it had been set to make the station sound very dull. Immediately after their departure engineer Bruce Musso hacked into the re-set security codes of the Orban and changed the settings back to the dull and aggravating settings used prior to the change by Hallett and Fraley in a clear attempt to further damage the station's ability to be listened to.

In reference to: **Part 73 Sec. 73.1745**

In so reducing power WCOO violated this section.

In reference to: **Part 73 Sec. 73.1870**

The Chief Operator either did not certify logs properly or falsified logs to be certified

during the above-mentioned time frame.

In reference to **Part 73 Sec. 73.4180**

At no time during the station's entire history prior to [3] April 1, 2002 did the station or its sister station WYBB-FM ever have or require the signature of employees on a payola-plugola statement. Such statement was drafted (see [3]) from copies provided by the consultant (Don Hallett) after I inquired if the

Station had such statements on file as I had never been asked to sign one and had been dealing with a Plugola issue with midday person Linda (Logan) Grumbein which had been going on for some time as she plugged the companies and people she had performed outside DJ services for and would be performing for. I instituted such statement and required all on air staff to sign it.

In reference to **Part 73 Sec 73.4097**

Eas tests logged and certified as being completed between the hours of 6PM and 5:30AM Monday through Friday and from 6PM till 10AM Saturday and Sunday were technically unable to be completed as the station's EAS system requires a manual operator to activate the test tone equipment between two audio elements of a prerecorded EAS Test announcement. During such unmanned hours all tests certified as performed were fraudulent.

In reference to **Part 73 Sec. 73.1300**

“Regardless of which method of station operation is employed, licensees must employ procedures which will ensure compliance with Part 11 of this chapter, the rules governing the Emergency Alert System (EAS).” The station fails to ensure compliance with Part 11 while fraudulently certifying compliance.

ATTACHMENTS:

Emails attached [1], [2], [3]: demonstrate the violations and notice of them to the company consultant.

SUMMARY:

I respectfully submit these allegations electronically for investigation and commission action at the earliest possible opportunity to enforce commission rules and regulations.

---

Lee Kent Hempfling

53 Muirfield Parkway

Charleston, S.C. 29414

P: 843-327-1996

Email: leekent@comcast.net

[1]

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Thursday, May 02, 2002 5:58 PM  
Subject: Re: Air Force People

Well... I'm not aware of any such delivery... I brought it up and that was that... and as far as the aircheck machine is concerned.. it could be done for even less... a relay on the mic switch to a cheap cassette machine (there are some in the engineering room, John was talking about them last week) and a line to the monitor receiver and wham... a real aircheck machine... and no wires to string... going to have to have control room work done soon anyway for the upcoming beach music (but its not called that, its called Sand Tunes) show that is being sold to the Holiday Inn for late Sunday nights during the summer requires two RCA lines for two mini disk machines Leo Windham will use to do the show.. Woody has moved on to another town... show is barter with Leo... and is making Folly beach happy... Bob Brooks was bringing that engineering duty up with Charlie this afternoon... finally got the new tube installed on the primary transmitter today.. **have advised arbitron of our being 50% to 35% of power for the past three weeks...**

>Did the engineer from Lexington not hook you up with a care package to wire >the existing 98ROCK machine for both studios in a spot on the rack in >engineering as we had discussed?

[2]

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Thursday, May 02, 2002 7:37 PM

Subject: Re: Air Force People

ENTIRE MESSAGE CONFIDENTIAL

(after reading this over... when you read it DO NOT think I'm whining... I'm doing what I do... telling the truth but I can't do a damn thing about it)...

Well... now you know how I've been feeling... sad isn't it...

I'll try not to go into the rest of it... to save you the headache... on this subject... **I did NOT know the primary tube was bad... was not told Cool was suffering transmitter problems... got a few calls about losing the station and the answer was that it was a bad area... then I overheard Mike talking about Cool and of course I listened in... then asked later and he told me the primary tube was about to die... I kept my composure (ain't nobody seen me sweat yet)... not once was I told about Cool's transmitter problems until Mike then told me the station was switched to the backup transmitter as Bruce had given the primary a max 30 days before toastville...** (to paraphrase of course since I'm being happy) but I had to ask about it ...

To make a three week excursion shorter... **Last week a call from a beauty shop I was told was 50 miles away (is John's wife's beauty shop which ain't no 50 miles away) and there was no problem. I kept asking every couple of days (of Mike since he's OM, I've been nice)... and it was that first Lynn had to actually buy one, then that Bruce had to install it, then that Bruce was going to install it, then that it would be this week then today a call from SUMMERVILLE of all places telling me the station was GONE!... then John called and said at his apartment (2 miles from the station's location) his portable walkman was getting bleed from 105.7 and we were weak... after the 9am air shift was done I walked into the sales meeting (staying in the doorway) and more or less demanded to know when Cool was going to go full power again... the answer was today... (you have no idea how much restraint I've used in this whole thing) then at noon in the middle of the request Cool Cafe feature the station kept going off and on and off and on and Linda came out to inform me that according to Bruce the station was at about 35% of power and he was replacing the tube and Charlie had called to tell her it was happening but nobody informed me.. Doesn't matter... I know I don't... each get together over the past few weeks regarding the Linda thing has been spiced with things like Alice changing formats opens a hole in the market should be all 80's, what are we going to do with Cool... that I am not focused, (bullshit) that the Linda thing is a matter of not managing by me (bullshit) it has been a "rough road" indeed Don..**

and deeper... (which was topped I might add two days ago when she found out (I just found out today from Ken) that Trish came into the building to give Ken something and she told John in the 10 till cross over that she was 'outta here and I'll make sure the door doesn't hit ME in the rear' (which all makes sense now that Ken made it clear this afternoon) which caused me to go ballistic but there was no use in saying anything I can't fire the bitch... John was completely stunned and didn't respond and you supposedly support keeping her, to which I responded you don't have to work with her... and then Trish leaves a message on Ken's voice mail asking if she can apply for the midday position since she heard a rumor (ask Ken I'm fuzzy on what it was) about middays being open soon and I can't talk to her since Lynn last said to us all not to talk to her until he said so... and I asked Ken why was it if we were going to save the midday salary to pay for Stern why we just didn't cut it out now which would mean I'm being punished for getting rid of Linda because no savings will happen until I do a baaaaad thing like clean the house of shit... oh well I should stay happy... and then there's Citadel supposedly firing a bunch of staff but the only thing fired was admin and sales positions, I was to wait to look for one of them but I can only get one to do a couple of hours live and track the rest and there is a WHOLE HELL OF A LOT MORE.. but oh well... I know when the only way to get me out of the building is to destroy my ability to make the station get numbers and then wham... the real problem is solved and everything can go back to like it was MONTHS before I got there... like I told Pam weeks ago... Geesh.... I didn't dump this load I'm just trying to flush it.. she laughed... Its making me literally sick... they know I have a high blood pressure problem and until very recently I didn't have insurance, now I do.. watch how cool and calm I'll be when I'm taking medication... not prozac like Linda just a simple blood pressure pill or two.... man oh man... I've never seen a more (dare I say it, sure its confidential).... no I won't I'm a gentleman... and each time something happens to supposedly calm things down the dirty tricks get worse, the backstabbing gets worse and the mess gets deeper... now that Stern is there Cool is totally irrelevant... again.... and if it comes in real bad like the plan is to make it be... i'll be gone... all of the crap that has happened and nothing has been done to fix a thing... 'cept to make me out to look like the devil, the evil one...the we don't talk to him at ALL guy... the i'm not permitted to talk to Lynn again guy (without advance permission, which doesn't apply to Mike but does apply to ANY MEMBER OF MY FAMILY)... (you have no idea how hard I started to laugh but stopped cause now that my wife knows Charlie pulled that crap.... ) actually it was if I call that area code he better know about it and approve it first... from me or any member of my family unless its my talking to ONLY PAM.... how dare he.... and there is no way that will ever work.... but I'm not leaving.... I will not get mad, blow up and quit... I have been insulted every single day since I've been there except for the first three days... for some reason... the not permitted to put anything in writing guy.. and the one the people in the building who care (and believe it or not there are those people) see as the fix of the station... and I wasn't going to dump on you... I am truly sorry... but I know how it feels to be pissed... I stay that way... but there ain't no one who has viewed it... 'cept my wife... and they won't... you told me to knock down the walls without stirring anything up, without causing fights... and that is what I've tried to do... Lynn said he does not have politics in his business but that is all it has been as I watch what I say to whom I say it and watch

my back more than I watch the music (and I live in that now as there is nothing else i can do)... EVERY SINGLE PROMOTION I submitted for Spring was killed... oh hell... that's enough... you're a great guy Don... you don't deserve my rambling... I was told Lynn has lost respect for me because I could not get Charlie when he was gone and all hell broke loose... I'm a thorn in the building and by -god they are going to get rid of me... Chris Cantrell was cut out of the engineer race without being contacted because he "doesn't know enough about transmitters" the hell he doesn't... but oh well one more thing then I'll shut up... Charlie tried to talk me into using Bobby for afternoon drive instead of hiring John... now Bobby's not good enough to fill in while a real midday person is found (and YES DAMMIT ... I WANT A BLACK FEMALE... Trish is the only one I know of in this town that loves the station) and I shall be punished for getting Linda the marijuana salesman out of the building... geesh man.. I'm glad I can work on the house....

ps: All of the great response to the parody song and NOT ONE PERSON that MATTERS GIVES A SHIT (cep't Ken)..... I am doing absolutely NOTHING WRONG yet the concern is when and how this job is going to get destroyed... I am treated like an idiot... not talked to... lied to... set up constantly and the funny thing is I know it ... can see it coming and can out manage the entire thing.. which has kept me from being destroyed so far...

I'll be blunt... all of my training tells me being a former cop is the problem... its what 1500 hours of public peace officer and investigative training will do...

END CONFIDENTIAL... sorry I have to do that he wants me OUT!!!!



[3]

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Cc: NEWAVECOHN@aol.com ; lmccohn@hotmail.com  
Sent: Thursday, March 28, 2002 6:03 PM  
Subject: Re: John Majhor

In a message dated 3/28/02 4:51:10 PM Eastern Standard Time, leekent@comcast.net writes:

You need to talk to Lynn about the personal advertising issue.

Lee:

If he is opposed, I'm opposed. Company decision. Talk to Charlie. He can help you clarify and enforce whatever the policy is or becomes.

You asked for Plugola/Payola policy stuff. A number are attached in various formats. I particularly like the documents from COX. Infinity's are strong as well.

Regards--  
DWH

Mr. Lynn Martin  
L.M. COMMUNICATIONS INC.  
L.M. COMMUNICATIONS OF SOUTH CAROLINA INC.  
L.M. COMMUNICATIONS II OF SOUTH CAROLINA INC.  
1300 GREENDALE ROAD  
LEXINGTON. KY 40511

July 26, 2002

Mr. Martin,

Please excuse my inability to have met you when you arrived for your last visit. I was sitting in a hospital room with my wife.

In light of the shocking announcement that Charlie Cohn was dismissing me as program director and morning personality of WCOO because "the station did not perform well enough" it is imperative that I bring the following events, facts and issues out in the open and deal with them appropriately.

This has been the most stressful, underhanded and unprofessional work experience I have ever had in any industry. It has seemed like a nightmare. It has been an intolerable work environment fraught with racial anti-Semitism, bigotry, intimidation and a true horribly hostile working environment.

The end result of the systematic defamation and disparagement ridden elimination of the only honest member of management working for you in Charleston has been a total humiliation of me and my reputation both inside the station during employment and outside the station during and after the employment. With Charlie Cohn playing golf nearly every weekend with WCOO's prime competitor's General Manager, Steve Jason, Bruce Musso's working for other stations in town and reporting back to the pack the humiliation I have suffered and are currently suffering is horrendous. When this issue becomes public I will clear my name in the eyes of the people who came to trust me each morning.

On the last day of my employment before discharge, which occurred after the promotions meeting John Majhor engaged Charlie Cohn in a heated debate during the promotions meeting about not having the tools a professional would expect in a radio station. Charlie Cohn justified his reason not to permit an Internet connection in the WCOO control room by saying he didn't want staff surfing porn.

Both John Majhor and I were deeply affected by that accusation and offended by the attack on our moral character. But now it is being installed after I leave so I presume he was referring to my character holding up his installing it in the WCOO control room. That infuriates me.

During the promotions meeting I learned for the first time that an effort was intended to be made to market WCOO with Charlie Cohn informing the room (which meant only John Majhor and I did not know) of a plan to place WCOO ads on store signs. Not once during my tenure in that station was any marketing effort considered and all presented were rejected.

Ever since my arrival every effort had been made to curtail my ability to make WCOO a viable programming product. Even the smallest and simplest of tools required to accomplish a professional radio station's goals were withheld and withheld with malice.

Now that I am no longer in the building, just two days after that took place the aircheck machine that had been at first refused then ignored then used against me and my efforts was installed in the WCOO control room. If that machine had been there when I first brought the lack of professional tools to the attention of Charlie Cohn absolutely none of this would have been possible to be perpetrated in the manner in which it was.

After the P1 spring trend Charlie Cohn instructed Bob Brooks to write up a sales 'one sheet' for sales people to present trends in presentations. On that sheet Mike Allen (Almond) was listed as Operations Manager. Since no one ever told me he was, I inquired of Don Hallett. Two days later Charlie Cohn asked me if I would mentor Mike Allen (Almond) and help him learn programming. I refused.

I was forced to critique staff outside of the building and write my comments down and present those comments to air staff.

I am convinced that the mention of legal action in both responses (who ever heard of an air talent writing a response to an aircheck critique let alone two where both threatened legal action) was a direct result of Charlie Cohn. Every action perpetrated by Bruce Musso was a direct result of Charlie Cohn. One intimidating email directed to me from Musso even claims "as Charlie said".

Charlie Cohn did not want a professional in that building and did everything he could during my stay in the building to intimidate, destroy and sabotage every effort I made to instill the professionalism you desired to be in the building.

Every single infraction perpetrated against me was intended to make me frustrated and hateful and cause me to resign. Since I did not resign (primarily because you had Don Hallett asking for assurances from me that I did intend to retire from this station and I took that as you wanting professionalism in your company) it was imperative in order to get the professional broadcaster out of the way that every event had to be twisted and lied about in order to make you believe I was the problem instead of Charlie Cohn.

Linda Logan wrecked the Cool Van early in my tenure and it was swept away as an accident. I have learned she was drunk while driving the Cool van on a personal business trip for her DJ service.

I am convinced that the scores of audio files with changed dates, deleted files and missing materials found to have been perpetrated by Linda Logan are a direct result of Charlie Cohn.

I am a professional broadcaster. I have never and will never stoop to the low depths of spinning facts in order to damage another person's reputation or career potential. I am truthful and honest and I abhor witnessing lies and deceit let alone being the brunt of a smear campaign and character assassination directed at me. You had the opportunity to accomplish exactly what you set out to accomplish by hiring me the way you did in the first place and if it were not for Charlie Cohn your station would have been far more successful than it is or now can ever be.

After accepting the position as Program Director for WCOO: the day I left for Charleston Linda Logan was increased to full time status and that position has been protected ever since even though no EEO effort was made to give others a chance to compete for the job and I was certainly not afforded the ability to determine the staff of the radio station I was hired to "**kick ass**" for.

When I arrived at this station to "**kick ass**", which is your term as given to me in the interview, I took about a month to evaluate the staff and their abilities and tried without success to get an aircheck machine installed for WCOO. It was initially refused. Since there was no aircheck machine to be installed for WCOO I was forced to go home early and listen to both Linda Logan and Skip St. John and write out my critiques of their performances.

The critiques written were in a manner of each break with comments and suggestions professionally presented. Every last word and phrase was true. Instead of taking those critiques and changing their performances to match the suggestions they filed complaint letters with Charlie Cohn threatening legal action but only after personal discussions with Charlie Cohn. Not once did Charlie Cohn back his

manager or even consider the employees were exercising improper response techniques or were proving the comments made in the critiques. Charlie Cohn in fact accused me of lying over the issues and facts presented in those critiques. There was and still is NO LEGAL ACTION possible from those critiques but Charlie Cohn seized upon those letters to bring action against me. He did not want me in the building. If I was there his inability to manage a station to profit was going to come out in the open. He was afraid of being exposed as the fraud he is. I was a professional and he knew it. I was a threat to him before I ever started work although my job was programming and would remain that way.

As has been true with each difficulty throughout this experience every time either Linda Logan or Charlie Cohn had an issue with me over some unprofessional action on their part Bruce Musso would write or cause to be written a threatening and/or intimidating email to my personal email address inflicting emotional distress within my household on both myself and my wife.

Musso would not speak to me after Linda Logan's response letter and my original critique of her performance were torn up by Charlie Cohn and I was ordered to never put anything in writing again or to at least not mention it would go into a personnel file.

Musso's accusation that we had difficulty in meeting stems from the discussion regarding the telephone recording "360" device in 98Rock's control room. Musso's solution to 98Rock being unable to record a call was to literally remove the recording computer from WCOO's control room (which was supported by Charlie Cohn and undoubtedly Charlie Cohn's idea) leaving us with no method to record calls at all and further damaging the competitive ability of the station. I objected saying 'no' that was not able to happen. Musso seized upon that discussion to blame his reason for not dealing with me directly as you informed me in a telephone conversation. Last week 98Rock received a brand new Denon aircheck cassette machine while WCOO continued to suffer unprofessionally without one until TWO DAYS AFTER I WAS GONE.

Since Logan's letter was torn up and her job was safe Skip St. John wrote and submitted a complaint letter. The only difference between his letter and Logan's letter was his use of a stronger terminology regarding mythical legal action.

Even though Charlie Cohn knew that St. John's girl friend Martha had been receiving his remote fee payments in her name instead of his to undermine the disability status of St. John he was terminated shortly thereafter but only after numerous times where hiring outside professional staff was rejected, once with Bobby Collins being suggested by Charlie Cohn to replace St. John and stalling tactics used to keep another professional out of the building until John Majhor was hired over Charlie Cohn's objections.

Reference Patricia Thompson's letter to you of March 9, 2002 when she detailed:

***"But there, while I was working on the platform, playing music for the children's festival, Linda approached the platform and proceeded to rant and rave about how angry she was with Lee Kent. Linda told me that Lee Kent is a "fucking asshole" and proceeded to tell me how Lee had written a four page Memo and air check, as well as about the Memo Lee had written to Skip, who by the way is taking his to an attorney...(sic)"***

***"Linda then proceeded to take the Memo from her purse and show it to me saying. "Here, you need to read this crock of shit!" Then she started talking about how Lee had really "fucked up" by "pissing" Bruce, the engineer off, and that Bruce had quit the station and had thrown his keys and cell phone on or at Charlie's desk and that now they were going to have to contract for his business and that because of "Lee's stupidity," Lynn Martin was getting ready to "pay out***

***the ass” because Bruce was “really going to charge them for his services now.”***

Linda commented that I was ***“not long for here”***. It is no wonder they protected their turf as much as they did. They were not used to anyone being in charge, having a plan or executing that plan unless it was to protect their jobs. They were not used to anyone working for the owner’s best interest.

Patricia Thompson’s letter continued in part:

***“But what am I talking about? You have Lee Kent now!!! I’m sure the Memo he gave Linda, which she totally deserved...(sic)... Lee has obviously become aware of the unprofessional activities that have been going on for a long time now, and just in the short month or so that he’s been at COOL 105-5. And I didn’t have to say a word.***

***What a BLESSING for COOL 105-5, to have Lee Kent to clean up the cancerous virus mess that lives within the bowels of COOL 105-5.”***

That statement was filed with you on or about March 9<sup>th</sup>, 2002.

Word filtered back into the station by the 13<sup>th</sup> of March.

Bruce Musso enlisted his friend Donald Strawn to transmit an anti-Semitic graphic threatening email, which stated, ***“Mr. Morning Dick Jockey This man would love to kiss yo cheeks!”*** With the graphic signed as ***“Lee Best wishes on the new job, Yasser!”*** It is of a billboard of Yasser Arafat with two hooded armed Palestinian gunmen carrying automatic weapons. I had been serving in the position for quite some time when this was transmitted.

Charlie Cohn’s response to the objection to the email was dated Sat 3/16 at 12:00:09 EST ***“I think just ignoring him right now is the best policy for all concerned. He is capable, as an engineer of doing some strange things that may make him libel for certain action but could be incredibly inconvenient for us. Imagine him doing something to the Cool transmitter, taking days to fix it etc. So we could sue him but he has nothing. Put him in jail, but you would have to prove he did it. I say just leave it alone for now and ignore anything he may send. I think if you don’t respond at all he will eventually tire of it like all children. Later.”***

This was the response received from management in regards to threatening and belittling activity directed to me. Management was not only informed but management refused and excused and placed not upsetting Bruce Musso over damaging me.

In *Mari-Beth McGuinn-Rowe v. Foster’s Daily Democrat*, 94-623-SD (July 10, 1997), the court ruled that off-premise assaults with the workplace conduct because the assault may have ***“contributed to the hostile environment plaintiff experienced at work...”*** The court further ruled that employers are not ordinarily responsible for unlawful conduct perpetrated by a non-supervisory employee unless the employer knew or had reason to know of the harassment and failed to take appropriate steps to halt it.

L.M. Communications Inc., L.M. Communications of South Carolina Inc. and L.M. Communications II of South Carolina Inc., have employed over 20 or more calendar weeks in the current or preceding calendar year a sum of 15 or more employees subjecting the business to Title VII laws and rulings.

I learned of the evening voice track talent having been in the building with marijuana, beer and very young girls when he was in the building and found he had been defrauding the company for months reporting far more hours than he actually worked. I learned he had inquired of whether Linda Logan had left him a package and he had scoured the second floor looking for that package.

After discussing fraudulent wage reporting he resigned. He came in later to speak to both Charlie Cohn and myself together and admitted he had reported hours incorrectly because it was too much trouble to show up at the station to perform his job.

Linda Logan announced in public of her displeasure with me and used numerous vulgar words and phrases to make her point (as referenced above) which is character assassination.

Each morning Linda Logan would arrive at the station barely in time to make her 9AM shift starting time but would often visit with Charlie Cohn before arriving for her shift while I was attempting to staff the station with professional caring talent who could be managed and had a common goal of success for the station.

After St. John was let go Linda Logan continued to stir up trouble in the building and met with Charlie Cohn each time after a difficulty with me in asking her to perform her job correctly. Each time was followed by yet another Bruce Musso email of intimidation. Each time I objected to Charlie Cohn about the engineer intimidating me in written correspondence he fluffed it off, as Bruce was a "weird duck". That "weird duck" had previously threatened Mike Allen with his gun; had been overheard by John Majhor threatening to shoot the Cool transmitter and had enlisted a friend to transmit a terrorism photo directed to me.

According to the USDA the following are warning indicators of potential workplace violence: These criteria place obligation on the company to solve or resolve or eliminate the threat of intimidation contributing to an intimidating, hostile, or offensive working environment. Management was repeatedly advised of the ongoing problems and refused to take appropriate corrective action excusing Mr. Musso as a "**weird duck**".

***Intimidating, harassing, bullying, belligerent, or other inappropriate and aggressive behavior:***

***Numerous conflicts with customers, co-workers, or supervisors:***

***Bringing a weapon to the workplace (unless necessary for the job), making inappropriate references to guns, or making idle threats about using a weapon to harm someone.***

***Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides.***

***Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide:***

***Direct or veiled threats of harm:***

***Extreme changes in normal behaviors:***

***Substance abuse:***

Bruce Musso displayed all actions listed above while an employee of the station's ownership except the substance abuse issue, which was not witnessed.

By Charlie Cohn's own written admission Bruce Musso is a serious threat. Charlie Cohn knew repeatedly and both failed to correct and refused in writing to correct and stop the intimidation while Bruce Musso was an employee of the company and later while he was under contract with the company.

You were informed by me on the phone of Bruce Musso's intimidation and you failed to respond appropriately to such action and even informed me that replacing him was too difficult in finding trustable engineers in the city even informing me that the other engineers in the city were the type to fix something just to make sure it would need fixing again. You knew and failed or refused to act in a clear violation of Title VII.

I am convinced that Charlie Cohn was in control of what Bruce Musso did and when he did it. When I told Charlie Cohn in his office that I had had enough of Bruce Musso and used a stronger attitude in saying it Charlie Cohn responded by saying he knew Bruce Musso was in a custody battle and he didn't need any problems that might mess with that situation and to let him talk to Bruce and try to calm things down. Charlie Cohn said Musso might still send me another email that said "**you suck**" and that he might say I didn't play enough Four Tops.

I received an email from Bruce Musso saying exactly what Charlie Cohn said he would say and even saying that he heard it from Charlie Cohn although he used a different musical group to complain about.

For a while thereafter things calmed down and direct emails to me stopped but the actions started again inside the building that time being directed at my staff and attacking me through intimidation of them.

Some relevant Emails are attached to this document.

The 'letters' I have heard that you seem to be so concerned about were and are still to this day professional critiques in writing. Yes, an accusation was made about Linda Logan's execution of an on air contest from the perspective of the listener because from the listener's perspective it appeared to be a rigged contest and that was what was mentioned. Had I not put that in writing and a listener had filed a complaint the station would have been liable.

While Linda Logan was arguing her position as unable to be managed a friend of hers wrote a complaint letter about me using radio terms to the General Manager of the station. That complaint letter made its way through the sales staff and to Mike Allen before I became aware of it and received it. It was a lie and a set up.

I do NOT under any circumstances place my employer or myself in a compromising position and will not tolerate the potential appearance of such.

To Wit: The Logan Letter:

## **Programming Memo**



**Date: 3/5/02**  
**To: Linda Logan**  
**From: Lee Kent**  
**Subject: Air check and comments.**

Linda:

Attached below you will find an aircheck from your presentation yesterday, Monday 3/4/02. You will

find parts of it direct and to the point.

One major aspect of the aircheck observation was the obvious fowl up of the contesting performed for The Mellow Mushroom where your unauthorized voice tracking during a scheduled live shift resulted in your calling for a listener to win a prize via the telephone followed immediately by the awarding of that prize without a telephone interaction with a real winner.

This radio station does not 'stack' winners and in no way shall it ever award a prize to a winner without taking all appropriate calls and awarding the prize faithfully and appropriately to the true winner through the contesting process.

The contest prize you awarded to a name that did not call the station to win such prize places this station in a precarious position in regards to the proper execution of contesting.

The manner in which that contest was played, outside of the allotted time period for its play and in direct disregard for the manner in which proper contesting should and shall be executed on this radio station is totally unacceptable and shall not in anyway be repeated.

Another issue that arose during the aircheck period was finding out that you left the building to acquire lunch, which I was not aware of happening. It is not a common business practice to leave one's duties especially during an on air presentation. Your job is to present a live radio program during your scheduled hours. A memo was issued last week regarding leaving the control room during live shifts.

If you wish to consume food during your air shift make arrangements for it to be delivered or wait until you are off air.

Another issue in the session air checked is the placement of prizes and execution of contesting billed as part of the 'Cool Café'. You did not award the winner prize during the 'Cool Café' there are comments regarding that issue in the air check as are there comments regarding the handling of client mentions during contesting.

During times that unauthorized voice tracks were running you included the time in the voice track which was far off from the correct time. Since you are not to do voice tracking during a live shift I will not address that issue now.

I will address the other issue of being honest to our listeners. When you voice track on voice track shifts do not give time or temperature data at any time. Out intention of voice tracking is not to deceive our listeners.

Read the air check carefully and address each issue raised.

You have enough experience in the business to adapt to the way we are now doing thing here and I expect the issues will be resolved immediately.

---

Lee Kent, Program Director  
Cool 105.5 WCOO-FM

Cc: Charlie Cohn  
Don Hallett  
Personnel File

### **Air Check Linda Logan Monday 3/4/02**

Started Listening at 12:15..

Two Cool Cafe calls, both ran well but the ending line is "What station is playing YOUR song" NOT "What station plays your song"... Its on the card on the wall in front of you please read it right.

Mellow Mushroom rap before the 20 set which ran at :24 was far too long. It is a prize. Tease the prize coming up and make it sound good but please do not list the menu items and deals. Its a live at 10 seconds NOT a



30 second commercial and it took you 25 seconds to get out of it.

Set running at :24 was ok as the commercial load was low but the point is to make the sets fit the format not the format fit the sets.

(In catching bits and pieces of your shift before this session started I noticed you completely missed a weather jingle which ran totally naked at 10:35 at the end of the set. I then noticed you were not in the control room at that time. Your job while on the air is to be on the air. You will stay in the control room to do your job on the air and not roam the hallways or get involved in conversations outside of the control room.)

Phone call at 12:28pm... it seems the callers today are regulars only. Once again you said "What station plays your song." Not "What station is playing your song". The point of this promotion is to increase participation and get listeners used to taking part. I missed most of the 11am hour so I don't know how often or well you solicited callers but it seems to not be working properly if all the same callers are making the calls. Your job during that hour is to provide incentive to receive calls from those who do not take part all the time. I do not want to hear the overly familiar rap you provide to the regulars. It only tells other listeners that it is a private club. Include others and in cases where the same callers are contacting the station, don't use them. You don't have to use each one that comes in. This is the 'entertainment' business so pick and choose the callers.

12:34 call... "What station plays your song" again... its right on the wall in front of the operator. "What station is playing your song"... Caller ended it well with passion for "Cool 105-5".

Voice delivery: I need to hear more Linda and less Linda the disk jockey. Your voice is fairly smooth in person but when you get on the phone in the control room or open the mic it seems you tighten up and the result is a rather harsh voice not at all the way you sound when you're being you in normal conversation. Let me hear you be you. Stop "projecting". Let the mic be your friend not a yelling port. Loosen up.

12:38 break (announced as 36 minutes past the hour) Mellow Mushroom again with brands of Beer? tease the song next well.. essentially break was short and to the point... beer?... but I notice the one aggravating habit you have... Cool 105-5 is NOT Cool 105 or Cool 105-Fiiiiiiiiive.... stop elongating words. This is radio for humans. Which reminds me.. I KNOW I KNOW we have three clock times showing in the control room, which clock are you looking at for times?... Use the one on the wall not the DCS or the board neither one is anywhere close to be the right time.

(The contract with The Mellow Mushroom calls for TWO, 10 second mentions in each of the two preceding hours to the awarding of the prize. DO NOT exceed the contract. NO

MORE than 10 seconds each and award the prize IN the feature they are buying not later.

Weather Forecast: sponsorship short off the card, good... well delivered forecast.. jingle into request call... suggested a song to the caller .. well done.. "What station plays your song" please... read the card..... What good is a standard slogan if it is not standard?

1:09 Please do not say "we've got" it is not good English ... another Mellow Mushroom tease... I thought this was to happen inside the noon hour only for the Cool Cafe... I did not hear you award a prize for the callers during noon nor did I hear a prize for Mellow Mushroom... This break started at the song out cue instead of the fade so it would appear you are continuing to voice track your breaks. We have talked about live and voice track and you know you are not to voice track a break when you are to be physically in the control room.

1:23 break

Palmetto grand theater winner FINALLY (but not when it was supposed to happen... then the Mellow Mushroom again... knock it off... no time, no temp, talk about the jingle instead of dropping the Jingle so you voice tracked that one too.... Last time: NO VOICE TRACKS when you are supposed to be working live. I know if you have other work to do a voice track may be necessary but not TWO breaks in order of each other 13 minutes apart. If I wanted you to voice track middays I would not be having a full time person doing it.

The Mellow Mushroom agreement is to promote the giveaway two hours before it happens (10 and 11 am) then award it in the noon hour and you are still promoting it. The prize for Cool Cafe simply HAS to be awarded DURING the Cool Cafe. This is just logical. If you were a listener waiting for the winner of the Cool Cafe you would believe the station lied when it was not awarded during the Cool Cafe. I know I would. The Mellow Mushroom is in the live card promo for the Cool Cafe and it still has not been awarded.

Do you have the feeling your shift is complete when the Cool Cafe ends?

1:35 Finally back live?... no time and temp, no tease of the weather forecast, teased the next song, but no mention of other format elements. talked down the fade and not quite as far in as normal. Good.

Weather Forecast: Service of Mellow Mushroom... it is? Is it on the log? Was that voice tracked? I'm not able to trust the shift now Linda. Are you on the phone making a dance party sale? Perhaps in the hallway talking to Rock staff? How can I tell? Call the station? I didn't expect you had physically left the building without permission.

1:50 (got the right time, this time, musta been different clock)  
Mellow Mushroom giveaway is now?.. This is a Cool Cafe contest?... Completely VOICE TRACKED as TWO, count them TWO BACK TO BACK... And Linda this is COMPLETELY unacceptable... OK I'm not in the building BUT... What you did was ask for a caller... to win the Mellow Mushroom contest

then IMMEDIATELY THEREAFTER the second voice track ran with the winner (TWICE). Do you have any idea how untrue that is? Apparently not. A radio station asking to play a game on air, then awarding the prize BEFORE ANY HUMAN BEING COULD MAKE A CALL... it opens the station to license Objections and that cannot happen.

I'm going to stop listening now. You have a great deal of issues to address and repair most of which has to be what you are apparently telling me is a job you are not taking seriously or you have not been trained over the years to understand it requires more attention to detail. How in the world could a caller even get a chance to play an on air game if you IMMEDIATELY AFTER ASKING FOR CALLS before any physical potential to answer a call is accomplished AWARD the prize to a caller. YOU CAN'T! unless you had FIXED THE CONTEST in which case THIS STATION AND THIS OWNER IS NOT GOING to take a fall for you being either lazy in your job or stacking a contest... that is the worst display of disregard for legal requirements of contests I have ever seen.

I understand you left the building during your "supposed" live air shift to get lunch. You do not leave the building during your shift. I would think that would have been a standard procedure. But it not, it is! You do not leave the control room during your shift without very good reason. We are here to work for the company not ourselves.

Enough for now...

Lee Kent  
Program Director  
WCOO Cool 105.5

To Wit: The St. John Letter

## **Programming Memo**



**Date:** 3/5/02  
**To:** Skip St. John  
**From:** Lee Kent  
**Subject:** Air check and comments.

Skip:

I have done everything I can think of to bend over backward to accommodate your return on less than initially agreed to hours for medical purposes. Your actions have made this very difficult.

As we discussed in a meeting earlier last week I need the PM drive position to be far more actual work time and function than you can provide given your situation and I mentioned other options.

I am beginning to wonder about that now, Skip.

Saturday, you had the audacity to call to inform me , not ask for time off, but to tell me that you had made arrangements to do another task during the period you are scheduled to work on air when you have a full day be-

fore that to take care of such business.

You made that statement to Tom Bolt who was using the Cool control room to voice track Sunday morning tracks, not to me. You never asked for time off or asked for arrangements to be made simply taking it upon yourself to set your own schedule and schedule Linda's air shift to cover for your unexcused absence.

When I took over the phone conversation, having overheard the first part, you did not skip a beat in complaining about the length of the remote time which you said should be 90 seconds when I told you the log called for 60 seconds.

You also objected to my comment that remotes in the future would be more involved with more breaks per hour demanding a higher rate for remotes and saying we would "have to talk" about it. This is the same problem encountered last week regarding your telling Linda that you would be handling the remotes for awhile where I had to step in to make it clear who runs this department.

You told Tom Bolt that you had made arrangements with Linda to voice track yet ANOTHER hour of air shift in order for you to cut your shift down to two hours.

You did this without permission, without justification and it would not NOT have been approved.

Today I am told by Linda that you contacted her and told her to work for you until perhaps FIVE o'clock which would be TWO more hours of her already 6 hour long shift due to your inability to start the shift on time. She even referred to the potential of your even being later than anticipated due to "lawyer meetings" running late.

Today Linda announced on the air that she was filling in for you as you would return tomorrow. In my asking her what that meant she said she was not sure if you were coming in today after all or if you would return tomorrow.

Due to my inability to lose a client's remote and possible involvement in the station (from your Saturday statements) I expect you to be on air during the beginning of the 4 PM hour today.

You put me in a very bad position by informing me (partly through Tom Bolt) of your shift change and hour adjustment and unauthorized assignment of talent just before you started a live remote broadcast where I could not interrupt your task without potentially losing a sold event or even a client of the radio station. Your attitude regarding remote broadcast rules and pay rates is unprofessional and unacceptable.

I absolutely will not put up with this form of attitude.

Your official position at this moment is a part time air talent scheduled only because of medical advice to be three hours per day. Your medical note listed two and a half hours a day yet you chose to be on air for three. The position requires far more involvement and far less attitude. My consideration of other potential shift possibilities was based on standard business practices of decorum and professionalism on your part which you have not and continue to not display.

According to the company you are not permitted to drive the station van and given your attitude regarding remotes you will not perform another remote with this radio station.

You are telling me that even with a doctor's note changing your hours you still want more special consideration and only on your terms. That is not agreeable.

Attached you will find the air check document developed from my listening live to your on air presentation from this past Friday.

You have a great deal of work to do to reach any level of acceptance to this radio station's on air needs that has nothing to do with your medical condition.

---

Lee Kent, Program Director  
Cool 105.5 WCOO-FM

Cc: Charlie Cohn  
Don Hallett  
Personnel File

**Air Check****Taken live from on air presentation.**

Skip St. John

3:40 Friday

The weather is for the weather NOT for your remote promo.

There is not one soul listening to this radio station who knows, nor cares who Martha is and whether or not she will be with you at a remote broadcast. You're doing the low to high rise delivery still dragging words out and on.

Your voice delivery is up as it should be but your starting to go into the 'disk jockeyism' realm with delivery.

3:50 -----

Opening: still sing song delivery. Up and down and up and down...

"Coming up next" should NOT be an octave higher than the rest of the rap.

Went into traffic well.

Volume NOT loud enough on traffic report.

She ran long and you caught it. Nice.

You did not follow the log instructions. No tease of upcoming songs in the next hour, no kick off song in the sweep.

4:09

Break in music, weekend is not pronounced weeeeeeekeeeend

Jessica Micky is not pronounced jesssica miiiiicky....

other than that it went fairly well..

Your breaks are short. That is good.

4:20 -----

"I'm" low then rising up to the name...

"hear from Jessica Mickey", no music tease, no content.

Her volume is still too low. Music too loud... let the processor handle it. Crank her up.

Straight into spots with no format content. You've missed an important opportunity.

Forecast.. read the forecast... then back at the Martha and I routine and

talked over the jingle when missing the tounge twister Mitsubishi word...

you tried to force in a reference to your wife being on the remote with you

and totally destroyed an otherwise acceptable forecast.. It is fine to refer to

your significant other in relation to a show prep function but NOT in acting like

there is some reason for a listener to care.

4:36

lead in to :36 set was short and to the point. Once again Martha made it in...

stop it dang it... I don't care who you're with.. neither does the listener...

music is still far too loud for Micky's traffic. You ran it without an intro

this time, as we talked but she missed her cue... you were late in getting the

promo to run on her cue FROM THE COMPUTER.

4:50

Opening... kicking off the 'official weekend' FRISKY FRIDAY??? What the hell is that?

Who promoted Frisky Friday? Who approved Frisky Friday? It sure wasn't me. In this

break you once again did not tease the next hour's music, you did not billboard the

kick off song, you did not tease content.

Weather forecast went through Sun...

'its party time'? what happened to the temp? And are you talking to 'folks' or

one person at a time. It sounds to me like you're still talking to a crowd who will never relate to a person yacking at them. You need to keep up the enthusiastic feeling to your voice (you've gotten that down well) but then you have to drop the dick jockeyisms and fake delivery. And you have to be much quicker on the equipment ie: playing back a Traffic report in the phone computer HAS to occur like it would be live, not with the four second bed dead roll before it starts... when you do that (which you have each time) you wind up with an ended bed long before she stops talking then the spots have to start IMMEDIATELY... not when you find the button... let's get the board work up to speed... now...

5:09

Getting really REALLY sing song and almost drunk sounding...  
Man,... this break was bad... really bad.. opened with the station but did not close with the station, did not read the lines for this break... talking about the weekend and party time, not the content of the format guidelines and the entire rap was a sine wave, up and down and up and down...

5:21

finally giving the time and temp... teased the weather and the song... nice but Annnnnnnnd like a snake climbing a pole... introing Jessica Mickey... then NOTHING ... DEAD AIR for four seconds... got her on the air with the bed.. report ran short... but that's ok... started off well but fell apart when you got to Annnnnnnnnnd... no more elongated words Skip... knock it off.. you don't talk that way... why do you do it on the radio?... spots started properly after the traffic bed...  
wEATHER FORECAST: starting well.. currrently... again.. elongated... but you got out of the forecast well with the temp.. at the jingle post...

5:35

OK it worked this time... you covered the format content and went to the traffic well... got out of it well ... still sing song but execution was there...

5:50

Up and down... up and down... "Happy weekend for you and yours?" teased weather then into traffic... volume was not up on her feed which was live this time... still far too low in volume... music volume is drowning her out... let the processor work... talking over the phone LIVE ON THE AIR OVER A COMMERCIAL THANKING HER FOR DOING TRAFFIC... sloppy man.. very sloppy... CAME BACK IN AFTER THE SET... NOT PERMITTED... PUSHING YOUR REMOTE "SKIP.. SHOW ME THE PRIZES"... then you started the forecast jingle... your job is to follow the format, not make it up as you go along.. forecast was missing... in order to sign off... do the sign off BEFORE the set... do the forecast like it is a forecast...

#### COMMENTS:

You have a great deal to improve on. I did not critique your first day back on the air and you did improve in presentation on the air after our discussion this afternoon but you are just about now back to the SKIPPY we put a stop to before you went on medical leave... You seem to have two complete opposite delivery possibilities... what you did yesterday and what you did today... essentially the only difference I heard today from what you did before the changes were instituted was less talk today than before... yet in talking less you managed to say things not approved, include a non employee as a suspected draw for a remote, created a brand you are not authorized to use and you managed to break the format to fit what you did before.

My discharge was directly attributed by Charlie Cohn to be solely the **"station did not perform well enough"** when I was program director. Discharge was not 'for cause' but for the specific job performance of program director. There were no job performance meetings, discussions or objections to performance of the program director. All discussions with me centered around the lack of Cume Persons. Each time a rating trend was received by the station a copy of that rating trend was provided to me but no further discussion was made of those ratings trends. Sessions to talk about ratings trends were mentioned but never held. Evaluations of ratings trends written by me were ignored or not requested at all. No job performance notice, warning or evaluation was ever created, written or presented to me. At no time was I under the impression that management was considering **"station did not perform well enough"** as a responsibility of the program director due to the sabotage and interference of Bruce Musso in reduction of power and destruction of the station's sound quality. No correspondence was ever presented indicating a poor work performance.

For a company so concerned about handling Linda Logan's discharge to make sure no legal action would be possible to have perpetrated this upon me in the manner in which it was carried out is a travesty.

Was it coincidence that this discharge for **"station did not perform well enough"** followed the airing of a morning show character running for governor who spoke against the display of the confederate flag as a parody commercial?

Shortly after the discharge of St. John while Logan was undergoing attempted direction by me (to agreement with actual refusal to carry out her job duties as her supervisor requested doing things right for a day then going back to doing them wrong the next) Logan approached me while I was in my office and using a smirk look on her face offered to have a **'staff'** meeting with me in a private location where we could **"discuss radio things, and since we live so close together why don't just the two of us have a staff meeting to have some coffee or 'something'"**.

I considered that action and the method used to be sexual harassment against me in an attempt to set me up to bring charges against me in order to either get me to resign or force me to leave.

At that time I was undergoing a cold shoulder from Charlie Cohn regarding other station issues and my going to him anymore regarding anything Linda Logan had done was a total waste of time. I could not put things in writing, I was not permitted to manage my department's staff (which at the time consisted of Linda Logan and some part timers) and I was going through another period of not raising any issues in hopes when something did require action I would not be continually considered a complainer.

My personal reputation is of utmost importance to both my wife and myself. Upon hearing what Logan had attempted to do my wife was ballistic and steamed over it for quite a time. She knew I was going to have to lay low or face another accusation of lying from Charlie Cohn so she took the matter into her own hands and called you.

If you do not comprehend how much a wife could be upset at a potential situation perpetrated by a person at a work location that could have resulted in a false accusation in order to get me out of the way of the employee's job security it must be because you have not had to face it.

Instead of addressing the problem somehow the topic of the potential sexual harassment case attempted by Linda Logan got twisted to how dared my wife call you.

She was trying to protect you, Mr. Martin and me.

Nothing was ever going to be done at that radio station to put your interests first and when it came to a situation where true legal action could be forthcoming and a threat to my integrity was loom-

ing the only issue centered on for argument was how dare she call you.

I stand by my wife's attempt to bring that matter to your attention. I would have done it myself if the tables were turned with her as the threatened manager. I suspect you would have protected your wife as well.

No lady would have phrased and looked like Linda Logan did in starting that issue. My wife had no other reason to contact you. Charlie Cohn never, at any time ever requested to meet my wife, ask us out to dinner, ask about my wife or was even curious about me in any shape or form or show a single thread of professionalism as a General Manager should yet continually met for lunch with an engineer who was disrupting the station, intimidating full and part time staff and illegally threatening me in writing and through verbal assaults of my staff.

Following the letter I wrote to you about station problems during Charlie Cohn's vacation when he did not give me contact information I was ordered by Charlie Cohn to not have contact with you at all.

Upon his return I was taken outside by Bob Brooks and told that ***Lynn Martin did not need to know what was going on at the stations, that I was not to talk to Lynn Martin without Charlie Cohn's prior approval, that any little thing that Lynn Martin finds out about turns into a giant issue and we can't have that and that only Charlie Cohn will converse with Lynn Martin about his radio stations, that Lynn Martin would take a simple topic and spend hours yelling about it.*** I didn't know how bad a situation I placed myself in by contacting Lynn Martin in an attempt to protect Lynn Martin.

After Bob Brooks had 'done the dirty work' I was told by Charlie Cohn that not only was it forbidden for me to talk to Lynn Martin but I was prohibited from, even in my personal out of station life to ever call the area code for Lexington Kentucky unless it was to talk to Pam and only Pam and my wife and family were prohibited from calling the area code for Lexington Kentucky. And she has a friend who lives there so in order to SAVE MY JOB she wrote her in email thereafter.

I was literally scared for my job when I wished you well on a return flight during your previous station visit and thought better of searching you out in your last visit as too many things had happened since the previous one.

During that period of time the spring book had started and as I knew then what better way to get rid of me than to sabotage the spring book.

First the WCOO transmitter allegedly suffered a lightning strike but I didn't know about it until I overheard Mike Allen talking about it on the phone.

Then it took a very long time for the new tube to be installed with WCOO operating on the backup transmitter. During that time Linda Logan made a mistake and blurted out that Bruce Musso had boasted to her that WCOO had been operating at 35-50 percent of power on the backup transmitter.

I advised Arbitron of the potential low power condition of the station but withdrew the filing when I was unable to get a transmitter reading and could not get the transmitter logs without demanding them from Charlie Cohn.

Mike Allen was told to give me access to the transmitter phone number and the codes to operate it but had never done so. I did not know how to find out what was true. I do know the ***"temperature inversion"*** troubled ONLY WCOO for a long time until finally REAL temperature inversions happened (only a few) and they affected WYBB as well.

In reference to the ***"station did not perform well enough"*** such poor performance (if indeed there was any, as evaluation of ratings trends indicated a performance in line with the market's trends



and effective in relation to the same persons of the station) was indicative of sabotage committed on the station by purposely reducing power of the backup transmitter, delaying replacement of the main transmitter tube and fraudulently adjusting the sound quality of the station. Such acts are in violation of FCC:

**Part 73 Sec. 73.1560** (d) was not adhered to or followed in the requirement to "If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Services Division (radio) or Video Services Division (television), Mass Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored."

**Part 73 Sec. 73.1745** was clearly violated in the reduction of power of WCOO during the first phase of the spring Arbitron rating period by (a) No broadcast station shall operate at times, or with modes or power, other than those specified and made a part of the license, unless otherwise provided in this part.(b) Any unauthorized departure from an operating schedule which is required to be filed with the FCC in Washington, DC, will be considered as a violation of a material term of the license.

**Part 73 Sec. 73.1870** was violated by Mike Almond (Mike Allen) during the above period of low power transmission by his position as chief operator where he (c) shall maintain supervisory oversight sufficient to know that each requirement has been fulfilled in a timely and correct manner. 3) Review of the station records at least once each week to determine if required entries are being made correctly. Additionally, verification must be made that the station has been operated as required by the rules or the station authorization. Upon completion of the review, the chief operator or his designee must date and sign the log, initiate any corrective action which may be necessary, and advise the station licensee of any condition which is repetitive.

**Part 73 Sec. 73.4180** Before I instituted a Payola, Plugola, kickback policy and required all staff to sign the disclosure documents Linda Logan advertised her own DJ service on the air without payment to the station and in doing so devoted air time each day following a DJ job in thanking and recognizing the businesses and persons who had paid her to perform the out of station position and did advertise her own service without payment to the station. Upon initial objection to this illegal function management dismissed the problem. It took contacting the consultant Don Hallett to acquire a Plugola, Payola standard form in order to comply with this rule.

Consistent daily reductions in broadcast output power were evidenced during the phase 1 and 2 of the spring book which were attributed to **"temperature inversions"**. WCOO was suffering from this anomaly while WYBB was not. Not until later in phase 2 of the spring book did WYBB suffer **"temperature inversion"** interference. I understand the Chief Engineer for Citadel Broadcasting had proclaimed during the later period of the above time that "temperature inversions" were no longer occurring in this market.

All efforts were made by management to curtail, stop, deflect and refuse the agreed and instructed removal of Linda Logan from employment with the station. Consultant Don Hallett instructed me on the method to be used to remove and replace Linda Logan as discharge for cause, followed by search for qualified applicant, followed by hiring of qualified applicant in the mid twenties salary range. Upon effort to carry out this instruction management refused to permit it to occur. Management refused to permit the consideration of Patricia Thompson in the search process and refused to hire her at all. Charlie Cohn said hiring Patricia Thompson would be **"trading one problem for another."**

I tried desperately to protect the equal employment rights afforded by the station in it's hiring practices. Every single effort made to direct, manage and ultimately to terminate Linda Logan from employment status was met with management's refusal to cooperate, refusal to carry out ownership orders and each event was followed by an intimidation letter written by Bruce Musso to my home.

Bruce Musso even wrote an intimidation letter to John Majhor which would have been received before arrival for his new position had his computer been operational at that time. That was a clear and obvious intimidation and interruption act to subjugate the EEOC process of hiring company staff.

I offered evidence and notice of illegal drug activity in the building to Lynn Martin, Charlie Cohn and Don Hallett in person and in writing and continually offered insight and information as to the ongoing improper and bad business practices being performed within the station to all three persons as well as the corporate attorney. Discharge can only be retaliation for these actions of employee loyalty.

**Section 704(a) of Title VII** states:

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retaining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this title, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.

**Section 4(d) of the ADEA** states:

It shall be unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because such individual, member or applicant for membership has opposed any practice made unlawful by this section, or because such individual, member or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under this Act.

I opposed the blatant bias evident in the **"issues"** Charlie Cohn had with Patricia Thompson's claim of wage discrimination. Such bias was also felt by the only black employee of the station (Denise Moseley) when she exclaimed she was afraid of speaking out as she was the only black employee.

**29 C.F.R. § 1614.101(b)** states: ***"No person shall be subject to retaliation for opposing any practice made unlawful by Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Equal Pay Act or the Rehabilitation Act or for participating in any stage of administrative or judicial proceeding under those statutes."***

Bruce Musso's constant emailing, threats and innuendoes targeting me and directed to my staff as well as Linda Logan's public humiliation of me as outlined in Patricia Thompson's complaint letter regarding her allegations of exclusion in the EEO hiring process and the transmission in email of threatening graphics depicting Arab Terrorists directed at me, the sexual harassment attempt by Linda Logan and the subsequent (after termination) emailed photo and audio file shouting **"Another victim of Musso Madness"** amount to intimidation directed against me to interfere, or attempt to interfere, with me in the exercise of my right to work after repeated notices in writing and verbally to management and ownership and their refusal to address the problems or remedy the threats and intimidations.

These acts were serious, continuous, and pervasive and resulted in an unlawful and criminal hostile work environment and a violation of my rights under Title VII.

Having been repeatedly questioned by Don Hallett asking on the behalf of Lynn Martin if I was intending to retire from employment with LM Communications and having repeatedly stressed the agreement with the question and having received accolades from Don Hallett for efforts made to contribute to the success of the company and to its future potential it would logically equate to a mutually agreed position through which retirement was and would have remained the sole goal for the continuation of such

employment.

Being nearly 50 years of age with an expected 15 years of additional work time such retirement (at the current annual rate only without adjustment for inflation or raises) would have amounted to a total of \$750,000.00 which is the lost wages amount resulting from this serious, continuous, pervasive and unlawful criminal hostile work environment discharge to make me whole.

Two weeks ago, having been urged and praised by Don Hallett to submit a genuine helpful and non threatening document in hopes of assisting the revenue potential of the property in which I stated he was willing to remain anonymous as to its source if it would help the station and then having Mr. Hallett proclaim that credit should be taken (as indicated by the attachment email list documentation) it was at or about that time that Bob Brooks became distant and it would appear that Charlie Cohn decided I posed a threat to his power or authority and finalized his lobbying to remove me from the programming position of WCOO.

The reason given for discharge was only a pretext or excuse for a campaign of intimidation, ridicule, sabotage and attacks that began as soon as it was evident that WCOO could be a professional station and no longer able to be used as the excuse nobody could sell. As long as I was not in the building there would be no threat to changing that.

Two days after discharge the control room aircheck machine was installed and an Internet connection is being moved into the control room.

During the July 4<sup>th</sup> long weekend while suffering through continuous CD dubs of commercials and changing spot numbers even though Leslie had been given a number list by Bobby Collins to correct the bad numbers I noticed on the following Monday that the commercial logs had not been picked up since the previous Tuesday. If I had just not said a word the excuse to blame me for something else would not have happened. But I mentioned it to Bob Brooks who knew it was Leslie's responsibility. Mike Allen always told me that he took it upon himself to pick up the logs.

During the week prior to that while spots were being missed on both stations every effort was made to make up spots not in the system. Every effort was made to correct errors and manually enter spot cart numbers. Nothing was missed that could have been played at all.

But the way it was presented to me, after Leslie admitted in a staff meeting that she was at fault for logged spots being missed, it was made out to be my fault. I was not the one picking up logs daily. Mike Allen was. I was doing my job in the best ways possible under trying times and trying circumstances and it was completely twisted.

Bob Brooks once again pulled me aside this time telling me that he didn't think he had to tell me how to do my job. I told him I understood what was up. And I did.

I was being set up. Prior to that point I had informed, Don Hallett, Lynn Martin and the corporate attorney that I was being set up. No action was taken to stop the abuse, intimidation, discrimination, hostile working environment, threats, lies, infliction of emotional harm and duress and the deliberate contemptuous malicious attacks making the work experience a hardship both inside and outside of the station building.

I brought up the issue of the logs not being picked up. I brought up the issue of the cart number list not being corrected. I brought up the issue of trying to fix the problems and I was set up to take the blame for it all.

Bobby Collins can attest to how the morning show went during that period of time but Charlie Cohn hushed him up in the staff meeting.

Over the course of that period of time Bruce Musso changed the sound of the station after Don Hallett had corrected it. Musso hacked into the Orban processor to change the codes after Phillip Fraley had set the instrument to Don Hallett's specifications.. It sounded MUCH different. I was not the only person to notice and complain about the sound quality of the station.

The microphone settings were changed in the WCOO control room to be muddy and far too much compression. Both Linda Logan and John Majhor complained about the sound. Dan Williams complained about the sound. Charlie Cohn's only response on the topic was to yell in email: "**NOBODY has touched the processing. if there is a problem I WANT TO KNOW ABOUT IT. I am not sure this is a real listener. LISTEN YOURSELVES AND DECIDE.**" The problem was, I had listened to it but I was once again being called a liar. He had to have known that the person sending the message was not a 'real listener'. In fact the person sending the email was from Bruce Musso's hometown, which makes the act even more meaningful. Bruce Musso did nothing without making sure it was known that he did it.

I received letters from a part timer (Dwight Landon) and showed them to Charlie Cohn who refused to take them. The letters were complaints about Bruce Musso intimidating staff, cursing and threatening me and messing with WCOO.

Now I find out that Linda Logan was aware of my being fired this past Friday.

All the while I continued to do my job.

I worked feverishly on my own time at home to download and commit to CD over 100 new song titles, which were only 1/3 of the way inserted into the library as of the day of my termination. I dropped off three more CD's that morning for dubbing into the system.

I worked feverishly to try to help you, Mr. Martin.

The marketing proposal I submitted to Don Hallett and Charlie Cohn a long time ago was increased to show advertising that would not cost the station a penny, was increased to show a sales process with rate card that would remove the artificial cap placed on both station's earning potential that could have changed the current inventory clearance from a loss into a profit and a list of low cost corrections to make the station as professional in physical plant as possible.

Just weeks before the discharge an effort in good faith was made to Charlie Cohn and Bob Brooks to aid them in increasing sales and promotions for WCOO by the presentation of a detailed on line (<http://www.cool1055.net/powerpoint/>) proposal. After consulting with Don Hallett over how and whether to provide the proposal and after his urging to do so email invitations were transmitted to both persons. Neither person acknowledged receipt thereof but no rejected email from known addresses was returned to the sender.

Bob Brooks asked John Majhor about the proposal (a section thereof, the Cool 105.5 Standard Sales Proposal Template was used by Mr. Brooks in the bidding for a sales contract after I provided it to him separately) about not receiving any email from me. Following this I provided Bob Brooks with a printed invitation. No one ever visited the proposal site from the station. Don Hallett's comments were (included in email documentation as well as here:

"----- **Original Message** -----

**From:** DWHALLETT@aol.com

**To:** leekent@comcast.net

**Sent:** Tuesday, July 02, 2002 5:30 PM

**Subject:** Re: Don Confidential Inquiry

**Lee:**

***I've clicked around a bit. It all looks very interesting. I'd recommend you share this with Charlie and Bob soon! I support and commend your efforts. As for "who is the author" thing. Take credit. Only what? 25% of original work gets through a committee? Right? Take it to the committee.***

***How 'bout that 80's list?***

***Regards--  
DWH***

In a message dated 7/2/02 4:50:56 PM Eastern Daylight Time, leekent@comcast.net writes:

(The following segment is from my original email to Hallett)

Don,

Below you will find a letter written in the event I would submit a proposal to make WCOO not only viable in the community but profitable as well.

What I need to know is whether in your opinion the proposal would be welcome or would it be best to stay quiet on the matter.

I do not want to do anything that will jeopardize any position or step over my permission to offer assistance but the revenue has got to increase and the station has got to succeed.

Lee

-----

Gentlemen,

At the link shown below you will find a full plan for Cool 105.5 that will make the station viable and profitable.

I am not attempting to step on any toes with this proposal. I believe if a person has the knowledge and experience to help make a property succeed it behooves that person to offer the assistance rather than remain quiet and let a potential solution pass by.

The proposal contains a fantastic marketing vehicle we can manage to make literally free to the station and reach 40,000 homes in targeted zip codes.

It contains an inventory management system almost directly out of the Mr. Pete manual that can turn a 40% clearance rate from loss into profit.

I am submitting this proposal for action and sincerely hope it will be received in the vein in which it is being submitted.

We are all a team in this endeavor.

If it would be prudent as we eventually act upon this proposal to keep its author unknown or quiet it is quite fine by me.

I look forward to discussion and hopefully implementation of this proposal and to the future profitability of WCOO.

<http://www.cool1055.net/powerpoint/>

Sincerely

Lee Kent

I did as he suggested. I sent email invitations to both Bob Brooks and Charlie Cohn to view the document that could make you money out of a station that had been ignored and used as the excuse for too long.

Charlie Cohn had not acknowledged an email from me since his May 17<sup>th</sup> attack on the sound of the station and my ability to tell the difference. Not even email from Don Hallett to me copied to Charlie Cohn was responded to towards me.

Neither Bob Brooks nor Charlie Cohn ever viewed the site according to the server logs. I log all accesses.

The rest of the Cool1055.net domain has been disabled, as I own the domain name and the server space which I paid for out of my own pocket.

I was trying to help you, Mr. Martin.

When I got the letter from Trish I read that I was spoken of kindly and my management style was praised. I was asked about that and never said anything negative about how I was treated in that official legal complaint letter.

I watched Mike Allen and Charlie Cohn as they came into the programming office to 'let me know' how they had attempted to offer Trish Thompson a full time job and I knew it was set up and I might say not very convincing. It was a lie.

I stood by my conviction that she was the best person available for the midday job and I still believe that to be the case after hearing many application tapes. She knows professionals and that is why she never fit in at that station and along with her being black is probably the two main reasons Charlie Cohn has "**issues**" with her and has "**issues**" with me too because I dared to want a black person full time on the staff and a person who like me would not succumb to unprofessional business behavior. Everything Trish said in her letter to you was absolutely true.

If I were not doing my job I'd still be there like Mike Allen and Charlie Cohn. Mike has a house to protect. Charlie Cohn is protecting himself. You were never supposed to bring a professional into that building. You are not supposed to know what is going on in that building. You are supposed to stay away and listen to lies and now you are supposed to believe them.

Charlie Cohn knew of my wife's life threatening health condition and the ongoing tests as Mike Allen knew of them and of the outcomes. Anything Mike Allen knew Charlie Cohn knew as well.

In an effort to enlist the support of Don Hallett to keep Linda Logan in place and make Steve Jason happy an aircheck was made of Linda Logan without my knowledge but I knew something was up because for one week she did it all right. I knew it had to be either an aircheck for her job or an aircheck to get a job. But I was not aware that an effort was made to make her sound good when in all other times it is the worst sounding midday show I've ever heard in any market.

She threatened legal action against the station and its ownership. She stirred up trouble in the building by trying to set up both Bobby Collins and John Majhor. She destroyed and tampered with audio files. She lied about what happened in her critique. She blatantly messes up the mechanical process of her show. And she keeps her job while the one person in your employment in Charleston South Carolina who was working for you is fired.

When I was given ratings results for P1 and P2 of spring I was given only what Steve Jason sent: Overall station ratings outside of our target demographic and the morning show, from a market that was embargoed. I was not shown any other day part. Very convenient for Charlie Cohn getting an embargoed ratings results from his golfing buddy.

An investigation by Don Hallett determined that the changes in sound quality of the station alleged by me and objected to and ignored and refused by management was indeed the direct result of Bruce Musso breaking into the reset codes of the stations processor and changing the settings in an attempt to hamper the sound quality of the station and therefore damage the stations **"performance"**.

During the same ratings period WYBB's performance was far worse in many cells than WCOO suffered as WYBB's larger cume disclosed far worse performance conversion ratios from cume to quarter hour shares.

Following the Winter ratings period this email was received from Don Hallett: ***"As you know it both COOL 105.5 and 98ROCK are headed in a GOOD and measurable direction. The data I just reviewed looks promising. I'm proud of my association with the stations and congratulate you all on ALL that has come and will come with continued dedication to our goals."***

Continued dedication was not evident by management as the station was kept from performing any of the multitude of promotional proposals made by me, advertising the station (even for traded advertising) was never discussed by management, sales of the station was blamed on the company's not having a 'black' sales person.

I argued that a black sales person was not the problem. Black persons shop at the same store everyone else does. Not addressing the black community was the problem and solutions had been made in promotional presentations to correct that problem but they were outright rejected by Charlie Cohn.

In fact, everything I brought to the station was rejected.

During two distinct and detailed telephone conversations I spoke with you and in one detailed telephone call spoke with the corporate attorney about issues going on inside the radio station that you declared you were not aware of. You indicated to me that you were appreciative at the time of the insight and proclaimed you would **"get to the bottom of it"**. You also told my wife the same thing.

Those phone calls were in relation to the allegations made by Patricia Thompson at which time I also informed you and the corporate attorney of other goings on.

All effort was made to make me look bad to you. I was made out to be the problem when as in-

icated by Patricia Thompson's letter those problems had been ongoing before my arrival.

In the evaluations of ratings I made, which Don Hallett likewise praised I showed without a doubt that WCOO was still better off than it appeared in the trends in relation to the other stations during the same time period and made the comment that marketing was necessary. It would also have helped to be at full power.

I was working to make sure nothing bad could happen to your station.

Immediately following the placement of new Cool logo graphics on the station van 'somebody' (following one night of sitting in the parking lot) keyed the new van and its graphic.

Shortly after having the new sound system installed and a promo starting running about the great sound system in the van Bruce Musso visited Linda Logan at a remote broadcast then called Charlie Cohn to inform him that the outside speakers in the van were blown out. The speakers were fine the day before.

Repeated complaints filed by me of unsafe working conditions in the WCOO control room for open electrical outlets were ignored.

Repeated calls were placed to the station hotline at the time Jessica Mickey would have been calling in with her traffic report in the morning show. Those calls were placed to disrupt the morning show and blocked the traffic reports damaging the on air product.

Repeatedly, my desk was rifled through, items stolen and CD's damaged.

Morning show prep was taken from my desk.

Station property acquired for WCOO was broken and destroyed.

The PowerGold music scheduler program was used to add "Santa Claus is coming to town" as the first song at the top of the 7am hour on a Sunday. It would have aired if it had not been caught by Patricia Thompson and not allowed to play.

Songs were changed categories, songs were removed, added and cart numbers were changed.

Microphone's were removed, not replaced and damaged in WCOO's control room.

I arrived at work one morning to the loud noise of the Clear Channel AM station blasting at full volume from a radio in the engineering room. The room was locked so I was forced to perform a morning show with that station blasting in the background each time I talked. The same event took place with Woody and Leo which upset them as well.

I was ordered to use Denise Moseley on the air as a weekend air talent when Charlie Cohn was faced with the question about the station not having any on air blacks. Denise tried hard but was not capable of being an air talent.

It all came down to one main reason: Charlie Cohn was able to use the 'black' radio station as the excuse for not making budget. If the 'black' radio station were to succeed there would be no excuse left. Once I declared what the ratings in a year could be and Charlie Cohn proclaimed he would build a monument to me in the front of the building if I were able to pull that off it all turned dirty and underhanded.

Once it was seen that WCOO sounded better than any station in the market, had better drive talents and the best music mix it ever had and an audience of loyal listeners was being built the station



had to be forced to fail. That is why power was lowered, the sound was destroyed, equipment was damaged, ratings were used from an embargoed phase 2 Arbitron (which meant the ratings viewed were bogus) and the opportunity was seized to twist a well meaning concern for revenue into blaming me for missing spots that were not missed, picking up logs that were not my responsibility and having Bruce Musso perform a series of written attacks against me through my home email address and use a friend to transmit racial and religious bigotry and discriminatory graphics and emails to my home address, even after being removed from your employment.

These are only a few of the things that I have been victim to in this employment situation. It has been a totally hostile working environment and made our life at home a living hell. This entire disaster has caused severe hardship on my family and me.

Even after I was no longer an employee Bruce Musso caused continuation to intimidate and threaten to my personal address even when my personal address was not on my web site. That transmission prompted this response:

***This email was just received. The same person sent the notice of a bad sounding station which everyone said was a lie. I know better. The photo was taken from my leekent.com website and the audio was named exactly as it is named here. I converted it to MP3 instead of overloading your inboxes with the FOUR MEGABYTE WAV file that overloaded mine. Just like each time in the past where they were ignored when such mail was received I am saying again ... stop this. Sabatoge during a rating period of a federally licensed broadcast facility and now the problems continue. I get canned because I stood for the truth. I've had enough of being attacked. The attacks will stop.***

***This person logged in at 4:59pmp today's date.***

Page: resumeindex.html  
 Site: LK  
 User:  
 Identity:  
 Host: adsl-33-210-21.gsp.bellsouth.net  
 Address: 67.33.210.21  
 Software: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; .NET CLR 1.0.3705)  
 Referer:  
 GHA Host: adsl-33-210-21.gsp.bellsouth.net  
 GHA Aliases:  
 GHA Addresses: 67.33.210.21  
 Finger Result: user unknown

His email is this: with headers...

Return-path: <xradio@bellsouth.net>  
 Received: from bright03.icomcast.net (bright03-qfe0.icomcast.net [172.20.4.55])  
 by msgstore03.icomcast.net  
 (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002))  
 with ESMTP id <OGZR009G7U8VUC@msgstore03.icomcast.net> for  
 leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Wed,  
 24 Jul 2002 16:58:10 -0400 (EDT)  
 Received: from mtain01 (bright-LB.icomcast.net [172.20.3.155])  
 by bright03.icomcast.net (8.11.6/8.11.6) with ESMTP id g60Kwwu20182 for  
 <@msgstore03.icomcast.net:leekent@comcast.net>; Wed,  
 24 Jul 2002 16:57:58 -0400 (EDT)  
 Received: from mail1.directnic.com (mail1.directnic.com [66.79.10.200])  
 by mtain01.icomcast.net  
 (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002))

with SMTP id <0GZR008RRU7ZTZ@mtain01.icomcast.net> for leekent@comcast.net  
 (ORCPT leekent@comcast.net); Wed, 24 Jul 2002 16:57:44 -0400 (EDT)  
 Received: (qmail 26353 invoked by uid 222); Wed, 24 Jul 2002 20:57:31 +0000  
 Received: (qmail 26132 invoked from network); Wed, 24 Jul 2002 20:57:24 +0000  
 Received: from mail016.mail.bellsouth.net (HELO imf16bis.bellsouth.net)  
 (205.152.58.36) by mail1.directnic.com with SMTP; Wed,  
 24 Jul 2002 20:57:24 +0000  
 Received: from bitch ([67.33.210.21]) by imf16bis.bellsouth.net  
 (InterMail vM.5.01.04.19 201-253-122-122-119-20020516)  
 with SMTP id <20020724205546.YKRA9213.imf16bis.bellsouth.net@bitch>  
 for <lk@leekent.com>; Wed, 24 Jul 2002 16:55:46 -0400  
 Content-return: prohibited  
 Date: Wed, 24 Jul 2002 16:54:07 -0400  
 From: Donald Strawn <xradio@bellsouth.net>  
 Subject:  
 To: lk@leekent.com  
 Message-id: <000b01c23354\$416a7340\$02affea9@bitch>  
 MIME-version: 1.0  
 X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2600.0000  
 X-Mailer: Microsoft Outlook Express 6.00.2600.0000  
 Content-type: multipart/mixed;  
 boundary="-----\_NextPart\_000\_0007\_01C23332.B9D6D200"  
 X-Priority: 3  
 X-MSMail-priority: Normal  
 Delivered-to: leekent-com-lk@leekent.com

This is a multi-part message in MIME format.

-----\_NextPart\_000\_0007\_01C23332.B9D6D200  
 Content-Type: multipart/alternative;  
 boundary="-----\_NextPart\_001\_0008\_01C23332.B9D6D200"

-----\_NextPart\_001\_0008\_01C23332.B9D6D200  
 Content-Type: text/plain;  
 charset="Windows-1252"  
 Content-Transfer-Encoding: quoted-printable

-----\_NextPart\_001\_0008\_01C23332.B9D6D200  
 Content-Type: text/html;  
 charset="Windows-1252"  
 Content-Transfer-Encoding: quoted-printable

```
<!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">
<HTML><HEAD>
<META http-equiv=3DContent-Type content=3D"text/html"; =
charset=3Dwindows-1252">
<META content=3D"MSHTML 6.00.2716.2200" name=3DGENERATOR>
<STYLE></STYLE>
</HEAD>
<BODY bgColor=3D#ffffff>
<DIV>&nbsp;</DIV></BODY></HTML>
```

-----=\_NextPart\_001\_0008\_01C23332.B9D6D200--

-----=\_NextPart\_000\_0007\_01C23332.B9D6D200

Content-Type: image/jpeg;

name="aboutlk.jpg"

Content-Transfer-Encoding: base64

Content-Disposition: attachment;

filename="aboutlk.jpg"



I have been a professional in a station where professionalism is a threat.

You were right when you told me the first time I met you that you could not allow this situation to continue any longer but you did and in fact failed to stop increasing infractions, unprofessional behavior and attacks against me you were aware of. Every step of the way I have been hampered, stopped, intimidated, ridiculed and called a liar.

You had insisted on a commitment from me to stay at the station. Don Hallett asked me if I was still planning to retire from the station even after all of the things that had been heaped on me for trying to make your station professional and successful. You had a killer station being killed in trying not to be what it had always been: a loser and an excuse for poor sales efforts.

Everything negatively inflicted or prevented was done with deliberate contempt and malice.

This notarized document is being sent to you in certified two day delivery mail. You hereby have 72 hours from the moment you receive this document in which to respond to the address below before I proceed with further action against L.M. Communications Inc., . L.M. Communications of South Carolina Inc., L.M. Communications II of South Carolina Inc., Lynn Martin, Charlie Cohn, Mike Almond, Bob Brooks, Bruce Musso (and his engineering company), Linda Logan Grumbein, and others.

---

Lee Kent  
53 Muirfield Parkway  
Charleston SC 29414

Partial Email Correspondence Collection:

From email from Don Hallett regarding the most recent Arbitron trend: Not showing a disfavor with job performance at all.

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Cc: lmccohn@hotmail.com  
Sent: Tuesday, July 09, 2002 8:19 PM  
Subject: Re: massive luck with music hunt

Lee:

First of all, I haven't been ignoring you in regard to your evaluation of the ARB trends. The teeter tottered? Low cume? Marketing required? In my assessment tracking COOL with its current cume is really hard on any scale, especially in dayparts. But, I admire your take and your detailed work. Nice job.

I reached out to Charlie today on another topic and we had a conflict of schedule and I suspect he might get me in route to another client by car. I'll be on cellular in the morning from around 8:30-9:00AM until 11:30AM or so. Maybe we can all hook up?

Regards--  
DWH

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-----  
In an effort to comply with Charlie Cohn's insistence that the midday position would not be replaced with a full time staff person even though I was told by Don Hallett to do just that in an EEO compliant manner: Charlie Cohn never responded to any email from me following the identification that WCOO was running at between 35-50% of power on the backup transmitter even though Don Hallett had written: In a message dated 5/4/02 6:53:54 PM Eastern Daylight Time, leekent@comcast.net writes:

Your comments and recommendation and discussion will be greatly appreciated. If you feel it important to forward this document on to others please do so. Cool will win in this market.

Lee

Lee..

It would be prudent for you to include Charlie on all of your stuff with me and include Lynn as warranted.

To Your Success:  
DWH

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Cc: NEWAVECOHN@aol.com ; lmccohn@hotmail.com

Sent: Wednesday, June 19, 2002 1:28 PM  
Subject: Re: Midday Applicant

Gentlemen:

Let me know how I can assist.

Regards--  
DWH

In a message dated 6/18/02 4:43:22 PM Eastern Daylight Time, leekent@comcast.net writes:

Don,

I was hoping for a bit more passion from her than I heard. I listened to her quite a bit a few weeks ago on Sunny 96.9 and these are the best of the best cuts (on her tape). She is apparently available "IF" and i say "if" she gets the same amount of money part time she is getting (so she says) at Citadel. \$12.00 an hour. I'm not sure if that is a reality amount though or even if Citadel pays that much at all for part time. No weekends either. That would be a gross of \$300.00 a week (\$15,600 yearly). I wanted middays to hold down a weekend shift coming off only when a client remote called for her to be live as part of the full time salary and I still think I need a staff member that can relate to 50% of my audience.

Charlie, last time we spoke about the midday position, after Trish was eliminated from consideration you mentioned you wanted part time and multi-tasking. I still need a full time person to handle remotes and promotional functions and full production and appearance schedules. I thought it was rather timely that this girl only wants part time and lives a few blocks from the station. She does not want to do remotes (which doesn't help the John and Lee Remote Show Schedule), does not want to do dubs for a production assignment and seems to not really want to put her all into the station. She is the only person in the market willing to work at that level (with those restrictions and a rather hefty hourly rate, if you ask me)...

I would rather have a person who needs some tweaking in delivery (and listens-follows directions-and tries) and can keep a tight and error free board and have a deep passion for the station than a person who appears to be treating the position as a nice place to go play a few hours each day. You had mentioned to me that Citadel had issues with her when you gave me the Citadel phone number to leave a message for her. The contact was made through a third party. I would like to know what those issues are before going any further in talking with her. I too am a bit concerned about the prima-donna problem.

And Don, please rest assured you will indeed be called upon to work your phone magic and dig deep into anyone I consider for a weekday hire.

Lee

<http://www.mediaiscorp.com/cool1055/demos/lizterry.mp3>

Lee:

She's okay, not great but she won't hurt us. I'm sure you can get a better performance from her with some airchecking.

Didn't you write that she wants to limit her hours? How will this fill the midday spot? Maybe I misread your earlier E-mail. If we do end up considering her for a full time position, I'd like the opportunity to speak with her before any offer is made.

The one thing I didn't like is "no dubs." Are you sure we aren't dealing with a prima donna?

Regards--  
DWH

-----  
Writing in response to my confidential update to Hallett he wrote:

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Sent: Friday, May 03, 2002 7:01 PM  
Subject: reality

In a message dated 5/2/02 7:41:32 PM Eastern Daylight Time, leekent@comcast.net writes:

ENTIRE MESSAGE CONFIDENTIAL

Lee:

I am not sure how to respond to your chapter.....let me try, OFF THE RECORD.

It's like this... As I see it you are bent by the following listed in no specific order. And some other things that are so inside and so twisted I can't help from here in Ohio.

- Linda
- Charlie on Linda
- Don on Linda
- Lynn on Trish and Linda
- your job description and title
- OUR decision to bring Stern to LM
- What else?

Here's my take. Linda is a bad employee. Lynn, Charlie and I have acknowledged the same. Delays in a change stemmed from concerns over any agendas Trish and, at the time Skip, might have/have had. Heck, wrongful firing/hiring could have made us all accountable in the end. I respect the company decision.

I have always stood steadfast on one point. How will we sound with no suitable replacement. Bobby has been the only option presented. One week ago I reviewed two hours of tape of Linda, unscoped. Sure, I heard a few uncomfortable moments technically, but nothing that would have driven we away. Bobby sounds amateurish, but he IS improving! Keep up the good work here.

Lee. She's gone. BUT this timetable, for numerous reasons, is not yours nor mine.

As for your future with LM, it appears to be nothing but great! Lynn, Charlie and I have taken exception on occasion to things like early morning calls from your wife, choices you've made in your management style, etc. It sucks to have too many bosses. But, as far as I know it, no one has come down on you hard for anything. Your owner has told you his preferences, your GM has advised and, yes, probably told you "the way it is" and your consultant has consulted. To my knowledge, there is no agenda you should be concerned with other than making COOL the best damn station you have ever touched.

That's why you were hired.

YOU ARE DOING THE JOB, but

Don't lose your passion. You might want to temper your actions in certain instances. I think the "pain" I read in your "confidential email" tells me you already have learned the later. IF you have crawled under a rock, get out now before the weight hurts us all.

As for the OM, job description thing, again I suggest you talk to Charlie. Mike is in charge of what he knows. If he is stepping on your toes, talk it through with your peers. The transmitter thing this week is weird. Lynn was under the impression that the Continental (backup) should have been up to the job. I've told him that may not be the case, and nothing more. I will follow-up. As for who KNEW, who took action and who was in charge, who cares. Let me suggest the next time anything compromises the integrity of our signal that you simply contact Charlie and ask him what steps he would like you to take to correct the situation in the shortest amount of time. If that is "go to Mike," or "I'll handle it," so be it. In the end, you've done your job in his eyes. Did you not have a number for Charlie while he was away? Mike did? I'm confused here.

On Stern.... Sure, the commitment in dollars is big and it will bring new concerns about everything from where the coffee comes from to how much I get paid! Lighten up. WYBB has been the #2 in the Classic Rock/Rock column since CCU brought the format to Charleston and LM, for whatever reason, sat back.

Howard was #1 on a station that wasn't a fit to his usual MO. "Q" has Bob & Tom. We had a second rate show. We now have #1, 6-10AM. All of this has nothing to do with WCOO. If it eventually ends up that there are cuts, it might be TPW. RELAX! Push for WCOO. That's your job. Rally for LM-Charleston. That's also OUR job.

No one is out to get you. (Okay, maybe an engineer or two) But no one else unless you recently pissed off a cat by sprinkling it with paint as you spruced up your home. Call me anytime..... Can we now get back to work?

Peace, my friend.  
DWH

-----\\

Confidential letters that prompted his response:

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Friday, May 03, 2002 1:43 PM  
Subject: linda explodes

Just got a call... Linda has gone off on Bobby for giving her too many dubs to do for her production schedule and accosted him why John Majhor got a voice spot and she didn't.. she took his spot and took 20 minutes before Bobby went off on her... Mike told Bobby to take some away from her... (its friday for heavens sake)... but to tell her to do her job. HA... anyway... have a nice weekend..

Regards,  
Lee Kent  
PD WCOO  
Cool 105.5

<http://www.leekent.com>  
ICQ:155225137  
FAX: 775-261-3616

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Thursday, May 02, 2002 7:37 PM  
Subject: Re: Air Force People

ENTIRE MESSAGE CONFIDENTIAL

(after reading this over... when you read it DO NOT think I'm whining... I'm doing what I do... telling the truth but I can't do a damn thing about it)...

Well... now you know how I've been feeling... sad isn't it...

I'll try not to go into the rest of it... to save you the headache... on this subject... I did NOT know the primary tube was bad... was not told Cool was suffering transmitter problems... got a few calls about losing the station and the answer was that it was a bad area... then I overheard Mike talking about Cool and of course I listened in... then asked later and he told me the primary tube was about to die... I kept my composure (ain't nobody seen me sweat yet)... not once was I told about Cool's transmitter problems until Mike then told me the station was switched to the backup transmitter as Bruce had given the primary a max 30 days before toastville... (to paraphrase of course since I'm being happy) but I had to ask about it ....

To make a three week excursion shorter... Last week a call from a beauty shop I was told was 50 miles away (is John's wife's beauty shop which ain't no 50 miles away) and there was no problem. I kept asking every couple of days (of Mike since he's OM, I've been nice)... and it was that first Lynn had to actually buy one, then that Bruce had to install it, then that Bruce was going to install it, then that it would be this week then today a call from SUMMERVILLE of all places telling me the station was GONE!... then John called and said at his apartment (2 miles from the station's location) his portable walkman was getting bleed from 105.7 and we were weak... after the 9am air shift was done I walked into the sales meeting (staying in the doorway) and more or less demanded to know when Cool was going to go full power again... the answer was today... (you have no idea how much restraint I've used in this whole thing) then at noon in the middle of the request Cool Cafe feature the station kept going off and on and off and on and Linda came out to inform me that according to Bruce the station was at about 35% of power and he was replacing the tube and Charlie had called to tell her it was happening but nobody informed me.. Doesn't matter... I know I don't... each get together over the past few weeks regarding the Linda thing has been spiced with things like Alice changing formats



opens a hole in the market should be all 80's, what are we going to do with Cool... that I am not focused, (bullshit) that the Linda thing is a matter of not managing by me (bullshit) it has been a "rough road" indeed Don.. and deeper... (which was topped I might add two days ago when she found out (I just found out today from Ken) that Trish came into the building to give Ken something and she told John in the 10 till cross over that she was 'outta here and I'll make sure the door doesn't hit ME in the rear' (which all makes sense now that Ken made it clear this afternoon) which caused me to go ballistic but there was no use in saying anything I can't fire the bitch... John was completely stunned and didn't respond and you supposedly support keeping her, to which I responded you don't have to work with her... and then Trish leaves a message on Ken's voice mail asking if she can apply for the midday position since she heard a rumor (ask Ken I'm fuzzy on what it was) about middays being open soon and I can't talk to her since Lynn last said to us all not to talk to her until he said so... and I asked Ken why was it if we were going to save the midday salary to pay for Stern why we just didn't cut it out now which would mean I'm being punished for getting rid of Linda because no savings will happen until I do a baaaaad thing like clean the house of shit... oh well I should stay happy... and then there's Citadel supposedly firing a bunch of staff but the only thing fired was admin and sales positions , I was to wait to look for one of them but I can only get one to do a couple of hours live and track the rest and there is a WHOLE HELL OF A LOT MORE.. but oh well... I know when the only way to get me out of the building is to destroy my ability to make the station get numbers and then wham... the real problem is solved and everything can go back to like it was MONTHS before I got there... like I told Pam weeks ago... Geesh.... I didn't dump this load I'm just trying to flush it.. she laughed... Its making me literally sick... they know I have a high blood pressure problem and until very recently I didn't have insurance, now I do.. watch how cool and calm I'll be when I'm taking medication... not prozac like Linda just a simple blood pressure pill or two.... man oh man... I've never seen a more (dare I say it, sure its confidential).... no I won't I'm a gentleman... and each time something happens to supposedly calm things down the dirty tricks get worse, the backstabbing gets worse and the mess gets deeper... now that Stern is there Cool is totally irrelevant... again.... and if it comes in real bad like the plan is to make it be... i'll be gone... all of the crap that has happened and nothing has been done to fix a thing... 'cept to make me out to look like the devil, the evil one...the we don't talk to him at ALL guy... the i'm not permitted to talk to Lynn again guy (without advance permission, which doesn't apply to Mike but does apply to ANY MEMBER OF MY FAMILY)... (you have no idea how hard I started to laugh but stopped cause now that my wife knows Charlie pulled that crap.... ) actually it was if I call that area code he better know about it and approve it first... from me or any member of my family unless its my talking to ONLY PAM.... how dare he.... and there is no way that will ever work.... but I'm not leaving.... I will not get mad, blow up and quit... I have been insulted every single day since I've been there except for the first three days... for some reason... the not permitted to put anything in writing guy.. and the one the people in the building who care (and believe it or not there are those people) see as the fix of the station... and I wasn't going to dump on you... I am truly sorry... but I know how it feels to be pissed... I stay that way... but there ain't no one who has viewed it... 'cept my wife... and they won't... you told me to knock down

the walls without stirring anything up, without causing fights... and that is what I've tried to do... Lynn said he does not have politics in his business but that is all it has been as I watch what I say to whom I say it and watch my back more than I watch the music (and I live in that now as there is nothing else i can do)... EVERY SINGLE PROMOTION I submitted for Spring was killed... oh hell... that's enough... you're a great guy Don... you don't deserve my rambling... I was told Lynn has lost respect for me because I could not get Charlie when he was gone and all hell broke loose... I'm a thorn in the building and by -god they are going to get rid of me... Chris Cantrell was cut out of the engineer race without being contacted because he "doesn't know enough about transmitters" the hell he doesn't... but oh well one more thing then I'll shut up... Charlie tried to talk me into using Bobby for afternoon drive instead of hiring John... now Bobby's not good enough to fill in while a real midday person is found (and YES DAMMIT ... I WANT A BLACK FEMALE... Trish is the only one I know of in this town that loves the station) and I shall be punished for getting Linda the marijuana salesman out of the building... geesh man.. I'm glad I can work on the house....

ps: All of the great response to the parody song and NOT ONE PERSON that MATTERS GIVES A SHIT (cep't Ken)..... I am doing absolutely NOTHING WRONG yet the concern is when and how this job is going to get destroyed... I am treated like an idiot... not talked to... lied to... set up constantly and the funny thing is I know it ... can see it coming and can out manage the entire thing.. which has kept me from being destroyed so far...

I'll be blunt... all of my training tells me being a former cop is the problem... its what 1500 hours of public peace officer and investigative training will do...

END CONFIDENTIAL... sorry I have to do that he wants me OUT!!!!

----- Original Message -----

From: DWHALLETT@aol.com

To: leekent@comcast.net

Sent: Thursday, May 02, 2002 6:30 PM

Subject: Re: Air Force People

In a message dated 5/2/02 6:02:12 PM Eastern Daylight Time, leekent@comcast.net writes:

have advised arbitron of our being 50% to 35% of power for the past three weeks...

Now I'm pissed. Tell me the story.....

-----  
Same time period correspondence:

----- Original Message -----

From: DWHALLETT@aol.com

To: leekent@comcast.net

Sent: Thursday, May 02, 2002 5:46 PM

Subject: Re: Air Force People

In a message dated 5/2/02 3:16:23 AM Eastern Daylight Time, leekent@comcast.net writes:

)... but I'd prefer an aircheck machine ...

Did the engineer from Lexington not hook you up with a care package to wire the existing 98ROCK machine for both studios in a spot on the rack in engineering as we had discussed?

----- Original Message -----

From: DWHALLETT@aol.com

To: leekent@comcast.net

Sent: Tuesday, April 16, 2002 3:18 PM

Subject: Re: confidential response

In a message dated 4/16/02 3:02:44 PM Eastern Daylight Time, leekent@comcast.net writes:

thanks for the shoulder...

Anytime... among other things that's one of the roles I play at NO ADDITIONAL COST to YOU:)

----- Original Message -----

From: DWHALLETT@aol.com

To: leekent@comcast.net

Sent: Tuesday, April 16, 2002 9:25 AM

Subject: Re: confidential response

In a message dated 4/15/02 8:58:02 PM Eastern Daylight Time, leekent@comcast.net writes:

CONFIDENTIAL

Lee:

Last but not least.... one more for the road....

It's clear to me that you still have issue with Logan. What's my advice? We talked about me reviewing an aircheck? Other than me recommending we upgrade based on poor performance that I've witnessed, I still need to leave a decision on this to you and to Charlie. Talk to him.

I believe the team decided not to move until we 1) Had a candidate 2) Were fairly certain LM didn't have crap pending with Skip's firing and Trish's resignation. I don't know where that stands. Talk to Charlie!

I hope you understand that with certain issues I must defer to local and/or company decisions.

Hang in there and continue to have the passion and focus I recognized when I recommended LM bring you onboard. One more thing. HAVE FUN. If there is something in your way, deal with it through channels and in a professional manner.

A fan:  
DWH

----- Original Message -----

From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Sent: Tuesday, April 16, 2002 9:20 AM  
Subject: Re: confidential response

In a message dated 4/15/02 8:58:02 PM Eastern Daylight Time, leekent@comcast.net writes:

why is Mike listed as OM on sales materials... just curious... Ken had lunch with me and we talked... but one thing I was curious about was the OM position I thought I was interviewing for... if a change has been made it would be nice to know I'm reporting to Mike now...

Lee:

Nothing to my knowledge has changed. Mike had the title of OM when you were hired. I suspect no one thought about changing his title to PD. I can see why this would be something you'd think about, but don't make it an issue. That's my advice. I don't think Mike thinks you are to report to him? I believe Charlie looks at the two of you being on the same rung of the ladder. I could be wrong, but I don't think so.

I hate to defer again, but if this is preventing you from being able to manage the COOL staff effectively or it is the source of muddy lines in communication, raise the issue with Charlie. For the time being maybe you could suggest both of you should have the OM title. In the event one of you or someone in the future is to step up a rung the title could be Director of Programming.

Make sense?

Regards--  
DWH

----- Original Message -----

From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Sent: Tuesday, April 16, 2002 8:59 AM  
Subject: Re: confidential response

In a message dated 4/15/02 8:58:02 PM Eastern Daylight Time, leekent@comcast.net writes:

I have permission to fix the air chain's compression to stop the slow recovery time (attack) for the compellor which I will do in the morning... and tweak the mic processor..

Lee:

You bring up a number of concerns, so I will address them in separate E-mails.

If the processing is not competitive and you have Charlie's go ahead, don't wait. Tell Charlie of your concerns regarding a reaction from Bruce and let him deal with that employee. Your job is to make COOL competitive. Don't let anyone hijack the bus.

Regards--  
DWH

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Cc: NEWAVECOHN@aol.com ; lmccohn@hotmail.com  
Sent: Thursday, March 28, 2002 6:03 PM  
Subject: Re: John Majhor

In a message dated 3/28/02 4:51:10 PM Eastern Standard Time, leekent@comcast.net writes:

You need to talk to Lynn about the personal advertising issue.

Lee:

If he is opposed, I'm opposed. Company decision. Talk to Charlie. He can help you clarify and enforce whatever the policy is or becomes.

You asked for Plugola/Payola policy stuff. A number are attached in various formats. I particularly like the documents from COX. Infinity's are strong as well.

Regards--  
DWH

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Sent: Tuesday, March 19, 2002 4:17 PM  
Subject: Re: aircheck

In a message dated 3/17/02 7:29:31 PM Eastern Standard Time, leekent@comcast.net writes:

aircheck

The aircheck sounds great. My God, I think you found a home, Mr. Kent.

Send tape sometime. Any progress on the aircheck system? If you'd like, call Phil in Lexington. He's ready to assist.

Regards--  
DWH

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Sent: Monday, March 11, 2002 11:05 PM

Subject: The message beneath?

In a message dated 3/11/02 9:11:05 PM Eastern Standard Time, lk@leekent.com writes:  
Lee:

It's been tough....

I get it.

So who do you attribute the "false pretense" and what is the "valuable lesson" learned?

Signed:  
Curious consultant

I honestly have been laboring under a false pretense.

Valuable lesson.

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Sent: Monday, March 11, 2002 9:36 AM

Subject: Re: important update... confidential

In a message dated 3/10/02 5:52:23 PM Eastern Standard Time, lk@leekent.com writes:

She brought the aircheck and letter she received last week with her and proceeded to read it outloud, very loud to Trish

while members of the Charleston Promise organization were standing nearby and overhead everything.

Lee:

I'll help as I can. Employee conduct is best managed locally, but I will intervene, mediate and advise to the best of my ability.

Please forward a copy of Linda's aircheck letter and the response if you get one from her.

Regards--  
DWH

----- Original Message -----  
From: DWHALLETT@aol.com  
To: lk@leekent.com  
Sent: Friday, March 08, 2002 12:10 PM  
Subject: Re: John Majhor

In a message dated 3/8/02 3:52:44 AM Eastern Standard Time, lk@leekent.com writes:

Programming is a bunch of individual kingdoms.

Break down the walls, but don't create, stir or instigate battles.

Tough days ahead.... You have my support!

Regards--  
DWH

----- Original Message -----  
From: DWHALLETT@aol.com  
To: lk@leekent.com  
Sent: Saturday, March 02, 2002 7:49 PM  
Subject: Re: The list....

In a message dated 3/2/02 9:00:28 AM Eastern Standard Time, lk@leekent.com writes:

Suggestions are appreciated and encouraged please.

Lee:

I suggest we talk about this tomorrow. I "feel your pain." Please don't issue any memo regarding the engineering situation until you and I speak. As for production guidelines, the general malaise, etc., a joint stance from you and Mike is a great plan. I'd review the same with Charlie before general staff receive it.

Lee... Monday is going to be crazy with the move to Dublin. Ring me tomorrow. If you get V/M, suggest a time late afternoon/early evening when I can reconnect. Of course I will need a phone number.

If you get this in the next 15 minutes, call me tonight. 614-451-9580

To your success!  
DWH

----- Original Message -----  
From: DWHALLETT@aol.com  
To: lk@leekent.com  
Sent: Sunday, February 24, 2002 7:14 PM  
Subject: Re: Promotion: Movin Up

In a message dated 2/24/02 10:59:38 AM Eastern Standard Time, lk@leekent.com writes:

Builds large database of advertisers  
for sales leads, touches local community strings  
and puts the station in the forefront of helping  
local business.

Lee:

Make is so..... please start working on gathering a fax database for a "loyalty program." We can discuss this as your convenience.

Regards--  
DWH

----- Original Message -----  
From: DWHALLETT@aol.com  
To: lk@leekent.com  
Sent: Sunday, February 24, 2002 7:13 PM  
Subject: Re: Promotion: Real Life Survivor

In a message dated 2/24/02 10:56:06 AM Eastern Standard Time, lk@leekent.com writes:



a Real Life Survivor and receive a membership card, entitling them to discounts at participating merchants in the Low Country as well as special events for Survivor

Lee:

Again, nice... but I'd suggest doing the "Cool Kids" first and once it is underway, make this stage two. Why not give the "Cool Kids" membership cards too entitling them to a free drink with any purchase at a fast food or buy one get one free movie tickets, etc.

Keep them comin'  
KC

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Sent: Sunday, February 24, 2002 7:09 PM

Subject: Re: Promotion: Cool Kids

In a message dated 2/24/02 10:54:42 AM Eastern Standard Time, lk@leekent.com writes:

Parents write in, fax in or email in the story of their child who has improved or given a Cool effort in becoming a better person.

Lee:

Open this up to teachers as well? And what about "Cool Kids' Day at \_\_\_\_\_" at the end of the year? Include activities for parents and sell booths for sampling, etc. Let's brainstorm more.

In a word, Nice!

Regards--  
DWH

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Sent: Wednesday, February 20, 2002 6:04 PM

Subject: Re: sorry one more

In a message dated 2/20/02 4:53:09 PM Eastern Standard Time, lk@leekent.com writes:

just curious.. is Mike OM? nobody has ever told me that issue but he's included in everything Cool does so it just figures....

I don't have that answer.... Hmm? I'll do a little digging with Charlie

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Sent: Saturday, February 09, 2002 7:30 PM

Subject: Re: Meeting synopsis

In a message dated 2/8/02 7:32:16 PM Eastern Standard Time, lk@leekent.com writes:

In the one discussion I have had with Stevie since arriving here I let him do all the talking and I learned he has decades of experience, is a programming guru and has ideas to make things better in the nights. I'll be happy to hear them.

Tread lightly.... And do what you do all so well.

Why don't you have a key???? Criminelle!

Great job with the staff meeting and thanks for sharing.

How's the new house???

Regards--

DWH

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Cc: NEWAVECOHN@aol.com ; lmccohn@hotmail.com

Sent: Monday, January 28, 2002 3:12 PM

Subject: Re: Don

In a message dated 1/28/02 2:03:39 PM Eastern Standard Time, lk@leekent.com writes:

Got a house on Saturday and we leave out of here Wednesday morning. Money has been transferred from Lexington to do the trip and we shall be underway soon. Have just received the backup for powergold and the software download is going on now. Plans are for me to hit the air on

Valentine's Day

Lee:

Congratulations! Once you hit the ground in Charleston, be in touch so that we can discuss your introduction to the audience, etc. As soon as I get confirmation that the deal is signed and sealed, I will forward the last few Executive Summaries for your review.

All the best. I hope you spend many happy years in Charleston and with L.M. Communications.

To your success:  
DWH

-----  
Correspondence regarding the proposal to increase revenue for Lynn Martin:

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Sent: Tuesday, July 02, 2002 5:30 PM  
Subject: Re: Don Confidential Inquiry

Lee:

I've clicked around a bit. It all looks very interesting. I'd recommend you share this with Charlie and Bob soon! I support and commend your efforts. As for "who is the author" thing. Take credit. Only what? 25% of original work gets through a committee? Right? Take it to the committee.

How 'bout that 80's list?

Regards--  
DWH

In a message dated 7/2/02 4:50:56 PM Eastern Daylight Time, leekent@comcast.net writes:

Don,

Below you will find a letter written in the event I would submit a proposal to make WCOO not only viable in the community but profitable as well.

What I need to know is whether in your opinion the proposal would be welcome or would it be best to stay quiet on the matter.

I do not want to do anything that will jeopardize any position or step over my permission to offer assistance but the revenue

has got to increase and the station has got to succeed.

Lee

-----

Gentlemen,

At the link shown below you will find a full plan for Cool 105.5 that will make the station viable and profitable.

I am not attempting to step on any toes with this proposal. I believe if a person has the knowledge and experience to help make a property succeed it behooves that person to offer the assistance rather than remain quiet and let a potential solution pass by.

The proposal contains a fantastic marketing vehicle we can manage to make literally free to the station and reach 40,000 homes in targeted zip codes.

It contains an inventory management system almost directly out of the Mr. Pete manual that can turn a 40% clearance rate from loss into profit.

I am submitting this proposal for action and sincerely hope it will be received in the vein in which it is being submitted.

We are all a team in this endeavor.

If it would be prudent as we eventually act upon this proposal to keep its author unknown or quiet it is quite fine by me.

I look forward to discussion and hopefully implementation of this proposal and to the future profitability of WCOO.

<http://www.cool1055.net/powerpoint/>

Sincerely

Lee Kent

-----

While trying to build a loyal audience and staff I was constantly approached about changing the station's format to all 80's. Charlie Cohn provided a list of music he said he had acquired (but did not tell me it came from Don Hallett for another purpose) and instructed me to review the list to see how the 80's station would sound. According to Don Hallett I was supposed to search that list for titles able to be played in the current format. Having never received the 80's music list Don Hallett wrote the following:

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net

Cc: lmccohn@hotmail.com  
Sent: Friday, June 28, 2002 12:14 PM  
Subject: Re: Song Additions

Lee:

Careful with placement into the categories. Not all of these are from "the 80's." We need to keep the categories era designations pure. Okay? I'd like to see the database once these songs have been on-air for a week or so.

About two weeks ago I forwarded an 80's safelist your way. It was a PDF file. I wanted you to do a comparison of titles on the list that we play and those that we don't that you might like to consider for COOL. Did you overlook it? If you have misplaced it, ask Charlie for a copy of the "Vallie Richards" list. I know he has it. Do be careful with the "80's options." Everything must "fit" our music essence.

Regards--  
DWH

In a message dated 6/28/02 11:55:06 AM Eastern Daylight Time, leekent@comcast.net writes:

Following songs being added to either 80's categories or for requests.

-----

----- Original Message -----  
From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Cc: lmccohn@hotmail.com  
Sent: Wednesday, July 03, 2002 9:39 PM  
Subject: Re: 80's Music List

Lee:

I don't support a gradual shift to "the 80's" at this time. I did want us all to look at the Vallie-Richards 80's safe list for possible options for adds that might be within the realms of COOL 105-5's current "essence."

To that end, I've taken the list you supplied and edited the first column.  
-Songs that you/we earmarked for new airplay are marked ">LK" and titles that I believe we can weave into the current era based categories are marked ">TPW."

Please let me know what you think about our recommendations. If you choose to bring them to play, TPW suggests you mix them into the secondary categories by era, let them play a week or more and then we would like to see the database for refinement. Adding this many titles to level #2 will give us depth, but, may tax out our level #1 gold. Again, I'd like to see the end product after it is in rotation for a week or more.

Regards--  
DWH

In a message dated 7/3/02 2:48:18 PM Eastern Daylight Time, leekent@comcast.net writes:

Three parts

- 1: The list as it pertains to the current in library material
- 2: The 80's ads planned as soon as DCS is working again
- 3: An option to create a blended funky AC station as Cool in the event we want to move newer.

Regards,  
Lee Kent  
<http://www.leekent.com>

-----  
From email to Don Hallett

In a message dated 6/9/02 10:05:21 AM Eastern Daylight Time, leekent@comcast.net writes:

THIS IS CONFIDENTIAL TO A FRIEND

Well I'll tell you. I've kept my mouth shut ever since we last talked except for the blatant change of audio quality of the station and no I did not do an A-B tape just to prove what I and many others already know. That topic only resulted in a lot of concern on my part and no action. What was the point in even mentioning it?

I did not say a word when Bruce took a person on a tour of the station two weekends ago and explained how Cool was going to be changing formats very soon loud enough for my parttimer to hear it and get concerned about needing to look for work.

I did use logic in discussing Bruce's tirade last week when he threatened me with legal action for supposedly calling his house at 3AM every morning (how stupid!) after Bobby found a cell phone in the production room at 5:30am, I picked it up to see if it was John's and must have touched a button on it (I've never seen one like that before) and it called the last called number (which turned out to be Bruce). It was Linda's phone. I don't know if anyone answered it as the moment I saw it 'dialing' I pushed every button I could to get it to stop. Bruce called the phone a moment later and I answered. (He kept calling the phone for an hour afterwards and Bobby just watched it.) He asked if I was 'Rich' (Linda's husband) I said no I was Lee Kent. When I asked who he was (I didn't know at that point) he said it was none of my fucking business and hung up. He spent the day going off ab

I did not say a word when Linda's husband called her last Monday (volume turned up real loud on the phone system) to attack me for running a tribute to the departing Base Commander and telling her it wasn't worth her mentioning it to me because I would not listen anyway.

I did not say a word when two weeks ago Bruce and Linda got into a discussion about the horrible Cool and the horrible Kent and John interrupted it where it stopped.

I did not say a word when Bruce was called into the station to fix the phone system in Cool, and refused to do so saying it was the phone company's problem. It took John calling Charlie to get Bruce to fix it after much yelling in the station. John has just about had enough. I've considered a restraining order to keep Bruce away from me but hell, he hasn't had the guts to talk to me directly he just intimidates my staff and continues to destroy station morale. He threatened a couple of weeks ago to go get his gun and shoot up the Cool transmitter. I don't care how much he hates 'black' music there is no place in a business for an abusive bully threatening to use guns. He's not gone already because we can't be with-

out an engineer. I hope that flys if he really does something he is totally capable of. I did not say a word yesterday when I got a call from both Tom Bolt and Dwight Landon that the Cool mic channel was dead. They both changed mics to no avail. It took Mike calling Bruce to get him to answer his phone. He came in and fixed it but installed the very old horrible sounding Sennheiser mic for the main mic now leaving us with no interview mic and a horrible mic for the main one. The good (still working) RE20 was removed and must either be locked up or removed from the building. I went into the station this morning to see if it had been switched and change it back if it had and it had been switched but it is gone. So tomorrow morning I will be nearly unable to be understood on that mic.

I did not say a word each time I've been talked to about destroying Cool and taking it all 80's. I did not say a word when the Arbitron contract did not exist and the only numbers I heard about were 25-54 dropping a couple of tenths of a point justifying changing the format now when I see any slight drop right now as close to a friggin miracle it didn't drop more with two new personalities in the first phase of the book, every promotion I've tried to get started has been ignored or stopped, low power (I know it was low because Linda slipped (caught herself and stopped) when she told me Bruce had bragged to her that Cool was running between 35 and 50% of power during the first part of the spring book) and as many mornings I get calls from people unable to pick up the station due to 'temperature inversions'. Now that rock is suffering the same thing perhaps it will be taken serious

I did not say a word when I was told to place an ad for a female personality after the last thing I heard was to not do a thing until there was an actual opening. Then being given the phone number and name of a person at Citadel and told to 'leave a message' which turned out to be the same female I learned two weeks ago was NOT interested in the position here. And no, I'm not leaving a message on Citadel's phone system when I have the home contact information already and know she does not want to come here.

I did not say a word when I was told we will not hire Trish after I was under the impression that was one avenue open unless a better talent came along during the search process. But right now I CANNOT HIRE ANYONE and bring a female into this environment. Bruce would have her in tears and abused like the rest of the staff and anyway, there is no way I'm going to find a parttime midday personality. Last I heard from you it was full time mid twenties.

Oh, the list could go on and on but what's the point? Sorry for it being this long.

I did say no I was not going to ask Bruce out to coffee to suck up to him when his presence in the station and the complaint call I got yesterday from Dwight Landon reinforces the severe hostile and abusive working environment my staff is being subjected to. His presence and actions are not professional and leave the property open to action from some employee who gets in his way. I can't stop it.

In my entire 30 year career I've never seen a station like this. But what's the point in continually bringing up the obvious problems? I become a 'complainer' and a target myself.

So that is how things are. And they ain't-a-gonna-change. So I'll go in tomorrow morning and use a crap microphone and keep my mouth shut. Cause what's the point in my getting upset at trying to make a professional station?

Ken French tried to intervene Friday morning asking me why I've been like I have been (quiet, always smiling and no complaints, too bubbly). What would the point be in talking with him? So I didn't.

No complaints here. The topic will just be changed to my complaining and nothing will get better anyway.

I intend to have a good show tomorrow morning no matter how bad it sounds and when somebody else complains about the mic being changed maybe it will be returned to the working mic. If not, oh well.

>Have a great weekend:

I have, so far and intend to keep it that way. At least I have income at the moment and if it goes all 80's, it goes all 80's it should buy a few more months of reasons why no spots are selling.

No, I am not going anywhere but the bullshit is going to stop. I am a professional and treat everyone with the respect they deserve.

You are wrong though, it is not a hornet's nest. Its a viper snake pit.

END CONFIDENTIAL

-----

Don Hallett's reply

Okay, friend. Who told you to "keep your mouth shut?" In my consultation with you, I suggested you engage, rebuild/build relationships, especially with your GM. You apparently have, for whatever reason, been stymied. I'm saddened by the same.

If the technical integrity of the station has been compromised and your GM does not acknowledge the same, that's one thing. IF your consultant, steps in to intervene, asks for proof of the same so he can "state OUR case" and doesn't receive the simple "AB tape" to help you deal with the issue from Columbus, OH, that's another.

Lee, now you again suggest we have a problem with the output of the station. I assumed the problems were solved. Have you gone directly to Charlie and told him of your knowledge regarding the subpart signal(s)?

In a subsequent Email sent today you claim 98ROCK is/was also at low power. And then there is the microphone thing. Give me a break!

As for the continuing feud fueled by that erroneous cell phone that you touched and it dialed your friend Bruce. Give me a break. It wasn't yours? It wasn't Bobbie's. How come you guys are playing with it? Common LEE. Bruce may not be your cup of tea, but simply stated. Deal with him or take your engineering troubles to Charlie. Maybe Mike?

No complaints here.

Really? So how come that's what I hear from you?

In my entire 30 year career I've never seen a station like this. But what's the point in continually bringing up the obvious problems? I become a 'complainer' and a target myself.

The point is this. You need to start averting, managing or finding solutions to the "obvious problems." They are your job. One cannot build a "professional radio station" with road blocks. You are a manager. Manage. If you can't do it single handily, ReachOut and follow through with Charlie, with me or ask for Mike's ear. And do follow up. We, and that include YOU, are all very busy.

Sorry, friend. The buck DOES stop here and now. I have faith in you and continue to support you. I'm also waiting patiently for you to take charge of things.

The call with Charlie is up to the two of you. Let me know when it is convenient for the two of you. If I'm not available on a land line, I'll make myself available on cellular.

Lee, you wrote...



That is how things are. And they ain't-a-gonna-change.

They must.

Oh, one more thing. Charlie will always discuss market niche, format change, etc. It's part of who he is and what he does inside LM. As for WCOO. As I know it, for the time being we are riding it out as one of the last Rhythmic Oldies in the country. Let's take a run at it!!

Regards--  
DWH

-----  
In his response letter a recurring theme continued: I was to "take charge" and from a previous email from Mr. Hallett I was to "knock down the walls" but I received no cooperation in doing so and was literally set up the entire time in trying. The buck could not and never did stop with me. It seemed that no matter what I tried to do as instructed wound up being rejected and I was blamed for not making it happen.

-----  
Beginning correspondence:

----- Original Message -----  
From: DWHALLETT@aol.com  
To: lk@leekent.com  
Sent: Wednesday, January 23, 2002 3:44 PM  
Subject: Re: Fw: Lets get to work

In a message dated 1/23/02 1:21:49 PM Eastern Standard Time, lk@leekent.com writes:

I was not under the impression that a hire was not consumated. The only remaining issues to be discussed were the bonus and pay rate adjustments for ratings results, which were to be 'worked out'.

I was also under the impression that the job was originally operations manager but discussion has only been about PD and morning man for Cool. That is fine with me there will be more time to concentrate on one station but it is a bit confusing. And just like I am sure they are cautious in hiring somebody they don't know and a face to face is necessary to 'make sure the chemistry works' I feel the same way. Being asked to front the money for a trip (even if I had it) without knowing for sure if I would indeed be reimbursed was confusing.

Lee:

Be patient. The owner is involved, the GM and a consultant. If that isn't enough to muck up communication???

If the face to face goes well, I see no reason why you get won't have the job. As for the compensation, bonuses, etc. I will leave that to you and the company.

Good luck!  
DWH

----- Original Message -----

From: <DWHALLETT@aol.com>  
To: <lk@leekent.com>  
Sent: Wednesday, January 23, 2002 1:35 PM  
Subject: heads up

> Lee:

>

> It looks like we may meet afterall as I may be flying in with Lynn Martin for  
> the day on Friday.

>

> FYI, the credit card thing has raised discussions if not concerns. Between  
> my right brain and yours (confidentially) what's the story? You may need me  
> in your court at the end of the day.

>

> Congrats on the next step!  
> DWH

In reference to Mike Allen's placing an ad for Cool morning personality and program director AFTER I was being interviewed for the OM position

----- Original Message -----

From: DWHALLETT@aol.com  
To: lk@leekent.com  
Sent: Wednesday, December 19, 2001 9:09 PM  
Subject: Re: I guess I should stay away from applying to this one?

In a message dated 12/19/01 6:28:05 PM Eastern Standard Time, lk@leekent.com writes:

I guess I should stay away from applying to this one?

You are already in the loop... 'nuf said?

----- Original Message -----

From: DWHALLETT@aol.com  
To: lk@leekent.com  
Sent: Wednesday, December 19, 2001 10:25 AM  
Subject: Re: Don

In a message dated 12/19/01 9:08:52 AM Eastern Standard Time, lk@leekent.com writes:

Is there a way to identify the format and define 'ain't great'?

Charleston, SC... Jammin' Oldies and Classic Rock. The OM will need to hold an air shift and it might pay 50K +

-----  
Transmitted correspondence:

----- Original Message -----

From: Lee Kent  
To: Ace42u@aol.com  
Sent: Tuesday, April 23, 2002 1:54 PM  
Subject: First email

Lynn,

I am sorry to burden you with additional problems but...

I am printing this email and Bobby's and will provide Charlie a copy of both when he returns.

Three issues here...

1: Bruce has attempted to get John Majhor to back out of coming here by emailing his private email address before he left for Charleston. John did not get the email until today when he checked his account but the message is pasted here with headers. You will notice it addresses John as "dick jockey" the same addressment used to me in the threatening palestinian gunmen photo sent to me from a different email address. John is not too happy about the intrusion. Something has to be done to stop Bruce from any further such action and since he is mentally unstable to stop him from causing physical harm to anyone in the station or outside of it. I have avoided him when he comes into the building as he will not address me anyway. I learned of Cool's being on the backup transmitter and of its tube going bad from Mike.

-----  
Return-Path: <brucemusso@comcast.net>  
Received: from smtp.comcast.net (smtp.comcast.net [24.153.64.2])  
by vmms4.verisignmail.com (Mirapoint Messaging Server MOS 2.9.3.2)  
with ESMTMP id DGX01659;  
Sat, 6 Apr 2002 14:58:09 -0500 (EST)  
Received: from cc254428c (pcp01001122pcs.jamsis01.sc.comcast.net [68.59.46.21])  
by mtaout03.icomcast.net (iPlanet Messaging Server 5.1 (built Feb 6 2002))  
with SMTP id <0GU500BKDWSXFH@mtaout03.icomcast.net> for john@majhor.com; Sat,  
06 Apr 2002 14:58:09 -0500 (EST)  
Date: Sat, 06 Apr 2002 14:58:34 -0500  
From: Bruce Musso <brucemusso@comcast.net>  
To: john@majhor.com  
Message-id: <000a01c1dda5\$6fa04000\$152e3b44@jamsis01.sc.comcast.net>  
MIME-version: 1.0

X-MIMEOLE: Produced By Microsoft MimeOLE V5.50.4522.1200  
 X-Mailer: Microsoft Outlook Express 5.50.4522.1200  
 Content-type: multipart/alternative;  
 boundary="Boundary\_(ID\_LjTxsyHFenNzBAfb6NTsCw)"  
 X-Priority: 3  
 X-MSMail-priority: Normal

-----  
 From: Bruce Musso <brucemusso@comcast.net>  
 Date: Sat, 06 Apr 2002 14:58:34 -0500  
 To: john@majhor.com

an out of work dick jockey and a loser, sure look alot a like, just like lee !

-----  
 2: Yesterday, between the time Bobby did production until noon and when John Majhor was to begin production at 1PM the production Cool Edit Pro computer was tampered with and files were purposely deleted that operate the sound card for that computer. It worked fine for Bobby but refused to give audio to John. Linda had been in the production room during that period causing me to hotline her for 2 and a half minutes of dead air. I had informed her of her requirement to stay in the control room an hour before that for alarm sounding dead air. She slipped in between CB and John. John had to reboot the computer to attempt to get it to work. According to Mike, who investigated the incident the files removed were done by searching for the program name with \*.\* after the name and individual files were purposely deleted from the system. Linda had received a memo from Bobby yesterday informing her that it was the second time in less than a week that production was not performed by her on schedule thereby missing paid commercials.

3: Linda has made claims that I am not long for the station and she is upset that Bobby wrote her the memo so she is going to take it to Charlie when he gets back and complain. Ray was told this first, then since no reaction was forthcoming Linda gave the memo to Denise and the following notes will detail what happened then.

My notes are below of the phone call with Bobby and Denise...

From Bobby....

linda told denise about the memo about production received from bobby  
 linda could not believe he wrote the memo, and that lee  
 and bobby get along because lee is such an asshole , that lee  
 is not long for here, bobby will be sorry when lee is gone  
 everybody is out to get linda who has done nothing wrong  
 is going to take all of this to charlie when he gets back  
 and let him know what has been going on, leslie said denise was  
 to give abc spots (and morning show spots) to bobby for scheduling for  
 production and linda got upset about that... repeated that lee is not long for here...  
 that the memo to her (well written by bobby and very kind) about production  
 was bullshit... denise will tell it all... linda told denise that  
 charlie likes linda and she is going nowhere because charlie  
 thinks so nice of her...

From denise...

linda showed denise the memo she received, said lee not going to be here long said that lee made him write it... alliance with bobby and lee against her.. told ray with no reaction then went to denise... said charlie is on her side.. taking memo to charlie... scared since she is the only black employee to talk to anyone but lynn.. she says she is expendible... feels it is not a safe place to work... so can't talk about it... will only discuss internal problems with lynn fear of job...

linda has been saying she does not understand why bobby is aligned with lee because when bobby first got on the air all lee would say is how bad bobby was on the air... (not true, I trained him)...

-----

I have received an email from Bobby with the memo attached to it that was given to linda. I have read it and compared it with the hard photo copy I have and they are identicle. I am forwarding his email and the document to you in the next email message.

My plans are this: I cannot allow this to continue any further. My original plans are moot since I understand the legal thing continues with Trish and more faxes so my intention is to temporarily replace Linda with Bobby in middays. I have received an application from a local man who is not too bad on the air with large market experience (WLW WKRC). The PM drive trends most recently received were from Bobby. Skip was not on the air for the majority of that period.

Both Denise and Bobby are willing to talk to you about any of this and Bobby is willing to talk to you only about drugs. Denise will not talk to anyone in the building about anything.

Lee

Regards,  
Lee Kent  
PD WCOO  
Cool 105.5  
<http://www.leekent.com>  
ICQ:155225137

>  
> ----- Original Message -----  
> From: "bobby collins" <rockshop@emailx.net>  
> To: <leekent@leekent.com>  
> Sent: Tuesday, April 23, 2002 1:13 PM  
>  
>  
> Lee,  
>

> The other day I had given Linda a dub on a reel to reel and she came into  
> the production room and called me an ASSHOLE! She said that she dosen't like  
> doing production that makes her have to use the reel to reel and that I was  
> an asshole for giving it to her. Please pass this along to further stop this  
> childish behavior. It is extremely unpleasant to work in this environment  
> when I get cussed out at because of assigning production. Another problem  
> that has come to my attention is that on Tuesday, Denise told me that Linda  
> showed her the production memo that I gave Linda and that it was bullshit.  
> She said that Lee and Bobby are assholes and Lee is not long for the  
> station. She also said that she was taking the memo to Charlie because she  
> thought everyone was out to get her. I don't understand what is wrong with  
> her and why something cannot be done to prevent friction in the workplace.  
> Linda also stated that she dosen't know why I associate with Lee. All this  
> gossip and spreading of lies and trash talking is very stressful and  
> upsetting. It is very hard to sit in one room upstairs, while Linda is in the  
> cool studio with Bruce bad mouthing everyone. It is very hard to work under  
> these conditions and I am not the only one who feels the same way.

>  
> Thank You Once Again  
> Bobby  
>

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Friday, March 01, 2002 9:00 PM  
Subject: Air check (well almost) of Skippy

No aircheck machine so I did it at home on my own time...

----- today-----

Skip St. John

3:40 Friday

The weather is for the weather NOT for your remote promo.

There is not one soul listening to this radio station who knows, nor cares  
who Martha is and whether or not she will be with you at a remote broadcast.

You're doing the low to high rise delivery still dragging words out  
and on.

Your voice delivery is up as it should be but your starting to  
go into the 'disk jockeyism' realm with delivery.

3:50 -----

Opening: still sing song delivery. Up and down and up and down...

"Coming up next" should NOT be an octave higher than the rest of the

rap.

Went into traffic well.

Volume NOT loud enough on traffic report.

She ran long and you caught it. Nice.

You did not follow the log instructions. No tease of upcoming songs in the next hour, no kick off song in the sweep.

4:09

Break in music, weekend is not pronounced weeeeeeekeeeeend  
Jessica Micky is not pronounced jesssica miiiiicky....  
other than that it went fairly well..

Your breaks are short. That is good.

4:20 -----

"I'm" low then rising up to the name...

"hear from Jessica Mickey", no music tease, no content.

Her volume is still too low. Music too loud... let the processor handle it. Crank her up.  
Straight into spots with no format content. You've missed an important opportunity.

Forecast.. read the forecast... then back at the Martha and I routine and  
talked over the jingle when missing the tounge twister Mitsubishi word...  
you tried to force in a reference to your wife being on the remote with you  
and totally destroyed an otherwise acceptable forecast.. It is fine to refer to  
your significant other in relation to a show prep function but NOT in acting like  
there is some reason for a listener to care.

4:36

lead in to :36 set was short and to the point. Once again Martha made it in...  
stop it dang it... I don't care who you're with.. neither does the listener...  
music is still far too loud for Micky's traffic. You ran it without an intro  
this time, as we talked but she missed her cue... you were late in getting the  
promo to run on her cue FROM THE COMPUTER.

4:50

Opening... kicking off the 'official weekend' FRISKY FRIDAY??? What the hell is that?  
Who promoted Frisky Friday? Who approved Frisky Friday? It sure wasn't me. In this  
break you once again did not tease the next hour's music, you did not billboard the  
kick off song, you did not tease content.

Weather forecast went through Sun...

'its party time'? what happened to the temp? And are you talking to 'folks' or  
one person at a time. It sounds to me like you're still talking to a crowd who will  
never relate to a person yacking at them. You need to keep up the enthusiastic  
feeling to your voice (you've gotten that down well) but then you have to drop the  
dick jockeyisms and fake delivery. And you have to be much quicker on the equipment  
ie: playing back a Traffic report in the phone computer HAS to occur like it would  
be live, not with the four second bed dead roll before it starts... when you do that  
(which you have each time) you wind up with an ended bed long before she stops talking

then the spots have to start IMMEDIATELY... not when you find the button... let's get the board work up to speed... now...

5:09

Getting really REALLY sing song and almost drunk sounding...

Man.,... this break was bad... really bad.. opened with the station but did not close with the station, did not read the lines for this break... talking about the weekend and party time, not the content of the format guidelines and the entire rap was a sine wave, up and down and up and down...

5:21

finally giving the time and temp... teased the weather and the song... nice but Annnnnnnnd like a snake climbing a pole... introing Jessica Mickey... then NOTHING ... DEAD AIR for four seconds... got her on the air with the bed.. report ran short... but that's ok... started off well but fell apart when you got to Annnnnnnnnnd... no more elongated words Skip... knock it off.. you don't talk that way... why do you do it on the radio?... spots started properly after the traffic bed...

wEATHER FORECAST: starting well.. currrrrrently... again.. elongated... but you got out of the forecast well with the temp.. at the jingle post...

5:35

OK it worked this time... you covered the format content and went to the traffic well... got out of it well ... still sing song but execution was there...

5:50

Up and down... up and down... "Happy weekend for you and yours?" teased weather then into traffic... volume was not up on her feed which was live this time... still far too low in volume... music volume is drowning her out... let the processor work... talking over the phone LIVE ON THE AIR OVER A COMMERCIAL THANKING HER FOR DOING TRAFFIC... sloppy man.. very sloppy...

CAME BACK IN AFTER THE SET... NOT PERMITTED... PUSHING YOUR REMOTE "SKIP.. SHOW ME THE PRIZES"... then you started the forecast jingle... your job is to follow the format, not make it up as you go along.. forecast was missing... in order to sign off... do the sign off BEFORE the set... do the forecast like it is a forecast...

COMMENTS:

You have a great deal to improve on. I did not critique your first day back on the air and you did improve in attitude on the air after our discussion this afternoon but you are just about now back to the SKIPPY we put a stop to before you went on medical leave... You seem to have two complete opposite delivery possibilities... what you did yesterday and what you did today... essentially the only difference I heard today from what you did before the changes were instituted was less talk today than before... yet in talking less you managed to say things not approved, include a non employee as a suspected draw for a remote, created a brand you are not authorized to use and you managed to break the format to fit what you did before.



This is your aircheck from live listening, although it was recorded while listening at home. Until we have an aircheck machine in the station I'll do them this way. I expect the above issues to be solved quickly.

Lee Kent

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Thursday, May 02, 2002 5:58 PM  
Subject: Re: Air Force People

Well... I'm not aware of any such delivery... I brought it up and that was that... and as far as the aircheck machine is concerned.. it could be done for even less... a relay on the mic switch to a cheap cassette machine (there are some in the engineering room, John was talking about them last week) and a line to the monitor receiver and wham... a real aircheck machine... and no wires to string... going to have to have control room work done soon anyway for the upcoming beach music (but its not called that, its called Sand Tunes) show that is being sold to the Holiday Inn for late Sunday nights during the summer requires two RCA lines for two mini disk machines Leo Windham will use to do the show.. Woody has moved on to another town... show is barter with Leo... and is making Folly beach happy... Bob Brooks was bringing that engineering duty up with Charlie this afternoon... finally got the new tube installed on the primary transmitter today.. have advised arbitron of our being 50% to 35% of power for the past three weeks...

Did the engineer from Lexington not hook you up with a care package to wire the existing 98ROCK machine for both studios in a spot on the rack in engineering as we had discussed?

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Tuesday, March 19, 2002 6:26 PM  
Subject: Re: aircheck

Thank you sir... coming from you that almost makes up for the day's games... the show is only going to get better... you shoulda heard today's calls... these people are funny... aircheck system is not a priority right now I hear... but that wasn't the reason for the meeting AT ALL...

yes, we'd like to call it home ... if we're allowed to stay...

lee

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Monday, January 14, 2002 11:44 AM  
Subject: An idea to file away..

Hi Don,

Been thinking about a way to combat the "Survivor" phenomenon as a community based 'touch the heart' radio station promotion. Got it. Here's one to file away. Would be nice to help increase female numbers as well as males. Both male and female winners are possible.

Morning show connects with local charities: Battered Women's Shelter, Cancer Support Groups, etc: makes them sponsors (sells small package for awareness)... include a local jeweler for prize and a local restaurant for prize...

Each week the morning show solicits letters from a "Real Life Survivor". Domestic abuse, cancer, other diseases, other trying times stories...

Each week the most heart touching story of a real life survivor is read on the air and the person who survived is

awarded a Real Life Survivor Purple Heart Charm Bracelet and dinner for two at the restaurant. Person can select to be "Jane or John Doe" or use their real name.

With the right background music to read the story it would touch the hearts of listeners and connect the station

and personality to the community quite nicely.

Run promos for the "Cool Real Life Survivor" all week to solicit letters.

No one is left out. All submissions become members of the "Cool Real Life Survivors" and are entered for

periodic events (sneak previews at local theaters, special Survivor monthly prizes, special survivor only events, (these people would be a first line support group for the station as well)) and a database is kept of the

entrants with stories, both winners and not are displayed on the station's web site presentation of "Real Life Survivors".

"Just an idea"...

Hope all is well with you.

Lee

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Monday, January 14, 2002 1:07 PM

Subject: Re: An idea to file away..

Hi Don

Thanks... well the last I talked to Charlie he was saying there was someone else that had to be involved in the decision making process and that person was out of town so it would be first part of this week before they had a direction to go in. Interesting to note that it appears the position he's talking about is mornings on Cool and PD of Cool. Not OM... well atleast he hasn't talked about that... Got a message from Jim Hannemayer of a local Phoenix station yesterday wanting me to call him today about a "business proposition"... I have no idea what that means... anyway... thanks for following up with a response so quickly... If there is a way we can work together it would be cool... Very Cool! (nice positioner!)

Lee

In a message dated 1/14/02 10:45:19 AM Eastern Standard Time, lk@leekent.com writes:

"Just an idea"...

And a GREAT one at that.

Where do things stand with you and Charlie Cohn?

DWH

----- Original Message -----

From: "Lee Kent" <lk@leekent.com>

To: <DWHALLETT@aol.com>

Sent: Thursday, January 03, 2002 5:01 PM

Subject: Charlie

> Don

> Have spoken with Charlie. In fact so did my wife (when he called back I was  
> at the store and my wife is a salesperson at heart ;-)

>

> Nice man. I like that he knows where he wants things to go.

>

> He said I was one of 10 finalists and a decision would be made by  
> the end of next week.

>

> Look forward to hearing from him. With CC doing their thing I know  
> they are vulnerable.. just needs to be in the face marketing out on the  
> street

> up everywhere and involved in the community...

>

> Will be fun.

>

> Thank you for recommending me. I hope we can work together to  
> make another success for you.

>

> lee

>

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Monday, April 15, 2002 8:56 PM

Subject: Re: confidential response

>sure

CONFIDENTIAL.... CONFIDENTIAL....

Well...

A few things ...

I have permission to fix the air chain's compression to stop the slow recovery time (attack) for the compellor which I will do in the morning... and tweak the mic processor.. ( i hope that doesn't result in another Bruce tirade like last week when he proclaimed somebody in the building who thinks they know how to set equipment had changed the production room mic processor so he changed it)... nobody I know of had changed anything... (which is why I'm reluctant to change anything at all until Bruce is GONE... I see it coming) Come to think of it... I'm not to be worried about Bruce... so I'm not changing anything yet... I have a solution for the midday problem which is to place Bobby (who has come along very well) into middays while the search continues... it won't cost any more and will save money for the time being ... while having no screw ups on the air.. today the old chain came into play again when the car wash certificates given away during middays was complained about by the client who is a close friend of skips... Bob knows about the previous plugola problem with that account and skip... Linda is now sounding very out of place between John and me and its my only on air concern... all I want to do is make it sound like one radio station pointed in the same direction... and not have what I'm doing wind up on the street... I'm starting to push sales about the promotions I've attempted to get started... Ken is coming through with a great mother's day promotion which I called the Low Country Working Mother... thingamabob... fax, email, write in nominations for a working mother to win a jewelry piece with runners up... fax line (a line is available) needs to be hooked up with the fax machine (sitting in 98's control room) or we'll mess up business faxes doing that... and of course the music which is underway ... next step has got to be middays... and voice tracking the shift with the receptionist is not going to get the numbers... a working engineer would be a nice thing... buzz all over town about the station... being played on the beaches on weekends... still need the plug in the cool control room covered up or fixed or something... Chris is waiting for a return call... I've been driving the van around town during the day and getting nice waves.... it got new raised white letter tires today with chrome wheels , is getting its 6 grand stereo system now and new art on it very soon and the old logo staying there is not going to cut it ... Let me have a midday I can promote and we'll take it beyond Pluto.... but I can't have a sales person come to me like last week and tell me they have a writer at a local newspaper wanting to do a feature article on Linda Logan, tell the guy no, twice and have to go to Bob to get it stopped while nothing has been done like that for the morning show ... granted an ad trade is in the works for the morning show for Skirt magazine (local ladies publication which is good!) ... Bob has been lamenting how he understands my 'problem child' situation as he has his own to deal with... and we've both agreed to not get used to faces.... word of mouth is growing, many new contest winners in pm drive today and mornings last week, Saturday almost all new callers... we're only going to get one decent chance at cume enhancement (which is why I'm not hitting the stores with signs just yet, besides the trade for printing being slow and screwy)... I can't have someone just learning about the station sample at work with dead air, double elements running at the same time, phone calls from the same people, wrong songs in requests, the same rap each time, no prep no understanding of what prep is, continual disregard for focus and no passion for the business or the station or the brand and miss the opportunity to keep them to other day parts... and the receptionist is weeks away from losing mic fright if she ever comes around... I'll work with her but I can't stop what I'm doing to be on her lunch schedule for training... If trish would just not have quit I would have had this thing fixed a month ago... which reminds me of a curiosity .... why was Linda promoted to full time after I was hired to be PD while I was on the road... and why is Mike listed as OM on sales materials... just curious... Ken had lunch with me and we talked... but one thing I was curious about was the OM position I thought I was interviewing for... if a change has been made it

would be nice to know I'm reporting to Mike now...

CONFIDENTIAL

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Wednesday, December 19, 2001 10:26 AM  
 Subject: Re: Don

I'll bite sir and thank you for the info...  
 Motown is a passion for me  
 as is the music I was 'into' as a youngster...  
 now called 'classic rock'...  
 If you can, please check my resume location  
 it is at <http://www.leekent.com>  
 And thank you very much for the tip.  
 BTW: All of our 'stuff' is in storage in Mississippi  
 so our being in Phoenix is not where the move  
 would come from...  
 Thanks  
 Lee

----- Original Message -----

From: DWHALLETT@aol.com  
 To: lk@leekent.com  
 Sent: Wednesday, December 19, 2001 7:25 AM  
 Subject: Re: Don

In a message dated 12/19/01 9:08:52 AM Eastern Standard Time, lk@leekent.com writes:

Is there a way to identify the format and define 'ain't great'?

Charleston, SC... Jammin' Oldies and Classic Rock. The OM will need to hold an air shift and it might pay 50K +

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Wednesday, January 16, 2002 8:09 PM  
 Subject: Don

Thank you for all you have done. A call from Charlie this afternoon places me in the 'be there or be square' position which I like... for a Monday meeting with you and Mr. Martin. I have sent air fares to Charlie from my search of fair fare sites and look forward to meeting both of you. I understand the offer will come tomorrow morning when I call Charlie back.

Thank you again...

And BTW: My collection has been published at <http://www.leekent.com> side panel select Marketing Radio 44+ for 44+ ways to market and promote as well as the Advertising article mentioned earlier on the same site.

Looking forward to helping you carry out the vision.

Lee

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Wednesday, February 20, 2002 7:51 PM

Subject: Don

Hi Don,

Well today solved some problems. Stevie Byrd is no longer with the station. He resigned this morning after we discussed his on air problems (ie: not working and billing for time he did not work as well as recreating all of the breaks for the entire evening show completely generic so he did not have to come in to work.) He admitted that he did not feel it was worth his while to come in for two hours at 6 bucks an hour so most times he didn't. But he still billed the station for part time hours which I think had been going on for quite some time. Like a long time. Evenings are now juke box essentially until Skip comes back to work then we'll talk to him about doing evenings voice tracking which will wind up paying him about the same amount he had been getting on an hourly basis instead of semi but not salaried basis and he'll be happy. Charlie looked over the new logo and liked it. I'm about ready to send you a list of about three potentials for afternoons although I want John Majhor since I know him and what he can do in the shift. Currently Bobby the production dude is filling in voice tracking, but tomorrow his shift is changing for a bit until Skip returns to allow him to do pm drive live. . we're losing weather presence in afternoons right now... morning show is going well slowly increasing the intensive level of the show... I have found that it will take building an audience before I can build phones... after a week of promotion the diaper thing went well but since then they have fallen back into the passive mode... even simple giveaways draw very little response... it will be a up hill road to hoe but we'll get there... Jingle sing is tomorrow about 12:30 eastern time and I'll be on the listen line in the head singing dude's ears for the sing so all should go well they will mix down that night and overnight the package so early next week we will go full tilt imaging and audio logo... I have some production to do mixing in and around the mix outs to get them rotating properly but that's easy stuff... I put up a format execution rules list today for my (count them) 1 staff member (Linda) to read since she has taken to getting in the entire menu, prices, hours and waitresses life stories for cafe windemere in her :07 talk over break... will fax it to you tomorrow... yes Bobby pukes on the air but at least live I'll be able to tweak him.. it can't be all that worse than Skip's rendition... lost my computer today to the 98 Rock studio since their 360 died... interesting to note that the engineer's solution for 98 ROck's phone needs was to remove Cool's phone ability computer... so instead he took my computer which just got fixed... ticked him off I guess when I told him no he could not take the Cool phone line computer... but its good that Rock has recording ability now 'cause it won't make my traffic reports late anymore... I'm really puzzled as to why engineer man can't stand to talk to me, look at me or otherwise be civil... ah well... I don't care... heading for #1 anyway...

More later and I'll be calling you soon to talk over other issues... nothing pressing just general 'I need your inputs things"

Thanks

Lee

----- Original Message -----

From: "Lee Kent" <lk@leekent.com>  
 To: <DWHALLETT@aol.com>  
 Sent: Wednesday, January 23, 2002 1:49 PM  
 Subject: Re: heads up

> Hi Don  
 > The situation arose when I was asked to pay for the air trip. I don't have  
 > that kind of money, reimbursement or not. I find it kinda funny that a  
 > person who quit using credit cards decades ago because as a young man I used  
 > them and wound up owing, then decided I wasn't going to owe anymore is  
 > somehow considered 'concerning'. We use a debit card and only spend money  
 > when we have it to spend. Confidentially: So what is the problem with  
 > frugal? BTW: Will be good meeting you.  
 > Lee  
 > ----- Original Message -----  
 > From: <DWHALLETT@aol.com>  
 > To: <lk@leekent.com>  
 > Sent: Wednesday, January 23, 2002 10:35 AM  
 > Subject: heads up  
 >  
 >  
 >> Lee:  
 >>  
 >> It looks like we may meet afterall as I may be flying in with Lynn Martin  
 > for  
 >> the day on Friday.  
 >>  
 >> FYI, the credit card thing has raised discussions if not concerns.  
 > Between  
 >> my right brain and yours (confidentially) what's the story? You may need  
 > me  
 >> in your court at the end of the day.  
 >>  
 >> Congrats on the next step!  
 >> DWH  
 >

----- Original Message -----  
 From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Thursday, July 04, 2002 6:15 PM  
 Subject: I am going to tell you about this...

...and then it will be off my chest and I won't speak about it until I speak to Charlie tomorrow.

Yesterday, Bruce removed the good RE20 from the Cool control room and replaced it with the broken one which was placed in the production room. John used it once on the air and then switched it back since it sounds so horrible. Today, on a holiday of all days, Bruce entered the station while part timer Dwight Landon was on the air and barged into the control room, yanked it out of the control room again, and replaced

it with a crappy Sennheiser Mic saying something about "mumbles" can deal with it.

So tomorrow morning I'll be working on a mic I can't use as it has no high end. It will indeed be 'mumbles'. Whatever he meant by that. The station will sound like crap.

How downright comical this whole thing is. Perhaps if I seig heil he would stop trying to destroy Cool. But my soul is not for sale.

There. I feel like I've done something constructive. But alas... it is just another complaint. I argued with myself in telling anyone about this but since i'm already the complainer.... why not...

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Wednesday, December 19, 2001 7:27 PM

Subject: I guess I should stay away from applying to this one?

LM Communications WYBB & WCOO are looking for talent!

AM Drive

Looking for a new morning talent for Great Times and Cool Oldies Cool 105.5 in "The Most Polite City in America" Charleston, SC. Previous experience in Mornings AC/CHR/Oldies and previous programming experience could mean more!

All Other Talent

We know a lot of you have been put on the beach by consolidation, but we're looking for talented people that want to live by the beach! Rock/Oldies/CHR experience with digital production skills that can help take these properties to the next level in Charleston!

LM Communications is an Equal Opportunity Employer. Women and Minorities are encouraged to apply.

Send T&R to:

Mike Allen  
Operations Manager  
WYBB & WCOO  
59 Windermere Boulevard  
Charleston, SC 29407  
attn: Job Opportunities

Mike Allen, rockdoc101, 12/19/2001 3:28:40 PM, rockdoc101@aol.com  
Message#73968



----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Monday, June 10, 2002 4:48 PM

Subject: I have been asked to contact you

Don,

After a discussion this morning about a potential change of Cool to a different format I was asked to contact you to set up a tentative mutually agreeable time for a conference call with Charlie.

My argument is one where stability and a chance to mature are paramount. Yes, Cool has been playing the same essential music for some time now but it has not been professionally presented nor structured and did not have John nor I doing the execution. Word of mouth is all we have which has prompted our introduction of the 'Pass It On' campaign on air and the use of top of mind enhancing 'appointments to win'. We are a new station to most of our listeners now.

I do not believe a change is a smart idea at this time as Cool has been perceived by its growing audience as a 'new' entity as we hear every week from people who have 'justfoundus'.

I believe it is imperative that a station with personnel changes in phase 1 of the Spring book be allowed to complete its book as it is positioned and branded and move toward a prosperous summer book as well with results forthcoming before a judgement is made about its potential in the marketplace.

I further impressed my point that we only have 25-54 numbers (I don't know if they are female, male or adult as I have not viewed them) but I do know that we received a call today from Stevie Byrd (now with Magic) telling us it appears Cool did well in the P1 in our target demo. That remains to be seen and I understand it could be some time before we actually see numbers of specifics for this trend.

I fully did not expect to arrive here to build a station up and have it stopped before it could get an up-swing from personnel changes under its belt. It seems to me that Cool is positioned as a feel good station playing music just about everyone can relate to and most can sing along with; playing music most played by recent hollywood movies because it makes statements and touches hearts.

I understand extrapolations look bad from this trend but I stand by my opinion that extrapolations rely far too much on past history and do not look forward other than the calculative result.

I also made the point that since Cool has spent this period of time as Charleston's best kept secret that a different formatted station would be in the same lack of marketing condition and would not only have to start all over again but would remain stagnant for a lack of awareness marketing while Cool has already built a word of mouth campaign and any change would drop those listeners out of the picture.

We turned out over 8,000 people to the R&B Festival for Piccolo Spoleto and were greeted warmly. When we offer prizes on air that match the audience we are inundated with new callers. Our winner profile surveys are showing a positive trend in listenership comprehension of the station's efforts and are kept in an excel spreadsheet by the receptionist if you care to see the results I can have it forwarded to you. When John and I did a remote this past Saturday morning at Splash Island we noticed most female attendees dancing to the music we were providing with the Very Cool Van and some were singing and they were all white. Cool has been positioned as the female's station where they can listen with their kids and feel good about doing it.

Today, on a bright and clear, cloudless day both stations suffered severe transmission problems as we received phone calls from Moncks Corner and Summerville complaining about being able to pick up Cool and 98Rock received calls as well. This condition does not lend itself to a growth stimulus.

With Cool's power problems during the phase one period, the constant 'temperature inversion' problems and absolutely no marketing outside of the station I am shocked the station did not show a more drastic fall than it apparently did but I can't say what that fall was as I have not seen any ratings but the 12+ public numbers which were a statistical dead heat.

I am not one to change tunnels because the light at the end appears to be 'out there' instead of next up. I believe in working toward the light and I see Cool and its presentation as being the vehicle to get us there.

A mutually agreeable time idea from you would be a nice thing about now. One of my perceptions about you (which I do indeed admire) is your intent on telling what needs to be said instead of what wants to be heard.

That said, if the company decides to make WCOO an all polka-country-rap station I will be happy to Um-papa-yee-haw-yo-boy all morning long.

Regards,  
Lee Kent  
<http://www.leekent.com>  
ICQ:155225137

"Nobody succeeds beyond his or her wildest expectations unless he or she begins with some wild expectations"

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Sunday, March 10, 2002 8:49 PM  
Subject: important update... confidential

Don,

I know you said to let things roll off my back and to break down walls without making noise but the phone call I just got changes everything. Now it involves the radio station. I got a call from Trish Thompson, calling me long distance from the collegiate football banquet in Columbia to fill me in on what happened yesterday at the Charleston's Promise Children's Festival. Linda Logan was there to do the live remote broadcast. She brought the aircheck and letter she received last week with her and proceeded to read it outloud, very loud to Trish while members of the Charleston Promise organization were standing nearby and overhead everything. She told Trish all of her complaints about me, how she is going to write a response to the memo and aircheck to Lynn and how Skip and Bruce and her are out to get me out. Trish put it this way "Thick as thieves. Cross one and you cross them all. A clique getting away with everything they can with not having to do their jobs." She also was told (in front of the crowd) that Linda has resumes in at Oldies 102.5 and the Jazz station. Last week I agreed to allow her to submit a response to the accusations made in the aircheck letter (permitting her to brush off her errors to mechanical DCS screwups) because I was told to. She has not yet submitted that addendum. She is considered to be passionate about the radio station when she is in fact only passionate about keeping it micro market to keep from having to do a real day's work. A great deal

of complaints were lodged against me for daring to fix things. I now need to literally insist that I be given permission to get rid of these people if this station is going to move ahead with progress instead of remaining tied up in controversy and internal backstabbing. Linda and Skip out , now. What ever happens to Bruce is not my doing. But those two are. It is time for these stations to start acting professional while trying to be a professional station and the people on Cool are not the ones to do it. I am not going to permit them to drive me out of this station no matter how they plan to do it. I need help here.  
Lee

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Monday, March 18, 2002 8:27 PM  
Subject: It is true... CONFIDENTIAL

that the best defense is a good spin cycle offense... I hate being spun... I wrote the paper on how to identify it... Been thinking it over this weekend as I have this habit of evaluating everything to its utmost chess move.. I cannot carry Friday's order out without it backfiring on me. I prefer to remain clean.

End of confidential...

Music is going well and the station sounds MUSICALLY great. Scheduling is complete through next Monday. Mike is writing the engineering list of requests as he was asked. JJ Jordan is not the pm drive guy (I listened) so if you have any suggestions in that light kindly forward details. Morning show giving away Earth Wind and Fire tickets this morning was a blast. Quite a few people shooting for the chance to win. More for tomorrow's show too.

I hope you enjoy the aircheck. I enjoy doing the show.

lk

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Saturday, February 09, 2002 1:49 PM  
Subject: Jingles and Clocks (backup changed powergold database attached)

Don,

The backup attached is structured to retain the same music rotation as current clocks employ so rotation should not change. Clocks are assigned in the grid under NEW COOL. Clocks include instructions for break contents and are set up for automation if needed in dayparts. Jocks will be using forward motion in prep delivery with one topic per hour broken into three parts and placed over the first, second and third break with the fourth break being music selling and tease of the next hour's prep content. We are changing focus from carnival to stage presentation.

Weather is a weather bed except in evenings-nights where it is replaced by a weatherbed, forecast, shotgun out

combined element the night guy would put together. I'm going to try to find a weather voice to use here locally either a tv station or a weather service to make it more definitive and credible so it may wind up being recorded just about all the time except mornings. Production during the day can keep these updated. With weather running twice an hour at 21 and 50 (or so depending on the clock, four times in mornings) it open additional sales potential as well.

Clocks increase allotted inventory to 12 units an hour instead of 10 but it is my understanding that 12 has been standard even with 10 scheduled. Mornings increases inventory to a potential 16 units but will start with 14 if possible... can increase to 15 then 16 when needed. Have talked with traffic and they can backload the sets as I want them to be so low inventory hours will either drop the 21 set altogether or scale it back as it backloads from 50 to 35 to 21. Jingles are set up in styles. The package lyrics are actually simple as they all sing Great Times, Cool Oldies Cool 105.5. Will be adding Pat into some of them for the special named jingles shown in the clocks for dayparts and jock identifiers. Cross promotion starts in mornings where a rotation sweeper is in place to push afternoons and middays then in afternoons to push mornings also evenings has a special mornings tease sweeper location. Overnights contains special overnight sweeper and jingle elements. The jingle weather bed (because of syllable usage) will sing COOL LOW COUNTRY WEATHER... The legal jingle will contain Pat to make the statement and the singers to go out. It is the same cut used for daypart identification. There is one morning jingle which sings Lee Kent In The Morning (with a short donut) then Great Times Cool Oldies, Cool 105.5. Pretty straight forward. I have my own name shout and will be using that as a bridge and cue element for traffic. The whole point here is a forward moving, tight and very slick, highly timed clock structure that will rival if not kick the ass of Oldies 102 much fun's presentation.... which I find interesting as I did not see 102 much fun in the ARB identifiers.. On the subject of identifiers, some of the Pat injections in sweepers during the day will rephrase the station in different perspectives based upon what a listener might call us. Will register each one. Saying the same thing but from listener's perspectives instead of our own. I'll have the list of those ready for you first part of the week and will zap them in email to you. Identifiers get mailed monday to make it usable by ARB on Thursday.

The plan is to start this whole thing Thursday, at least for the clocks, if Jingles are not in, which I do not expect them to be yet, we will have place holder material in each slot to fill the voids. Looking forward to your response.  
Lee

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Friday, March 08, 2002 6:51 AM  
Subject: Re: John Majhor

Nice to see you're back... hope the move went well....

Have handed it to Charlie.. Lyn approved 30k for the position for John... its a matter of how , now... in the mean time Linda has managed to start crying because she received an aircheck pointing out how a listener would perceive her running a voicetrack call for contest calls immediately followed by the awarding of the winner by name "Let's go ahead and just give the prize to..." her defense is the DCS screwed up... too often used of a defense.. and cannot be proven one way or the other... I listened to Skip later that day where his errors were mechanical not DCS then he called me to inform me he was rebooting the DCS because it was screwing up.... then Linda went crying before her shift the next day to Charlie missing the opening of her show. We had a meeting. Things worked out. I agreed to add her statement of equipment failure to the report for the file but she had demanded of me before the meeting to issue her a written apology and remove the report from her file. Then a letter came in yesterday from a 'listener' complaining about me and the stations 'format' change using terms only radio people use which I received from Mike instead of Charlie only after the sales department knew about the letter which turns out to be from a friend of Linda written on the same day she received her aircheck letter. Two phone calls in the morning yesterday from ladies telling me how great Linda is and how they just looove her show. Skip is complaining to the traffic person (outside company) that he won't be doing afternoons in the future (which he knows) and the engineer calls me at home to literally yell at me for giving him a note asking to move one of the microphones which Charlie asked me to write to give to Bruce. So it was real nice! I told him to chill, he didn't. Then to knock it off. He got louder. Then I hung up. He threw his keys and quit. The first three days of show prep (I was saving in a file for the new web site content) are missing. New wall hangers for production are in my office found one yesterday morning had been literally smashed into pieces. I'm not writing off anybody. But the station is where its at because people do not work, will not work, cry to get away with blatant refusals to follow instructions, back bite and stir up the hornets to get their way. Neither of the two staff members are part of the solution. Lyn told Mike if he had people who would not work to fire them (in a meeting with Charlie, Bob and me).. I know it upsets the 'norm' but the 'norm' is losing. Oldies 102.5 is vulnerable and they know it as they are now saying before commercial breaks "Up next, more of the motown you want to hear" and they lead with one... This station needs a team of working professionals. Sales has it. Great sales team. Programming is a bunch of individual kingdoms.

Lee

----- Original Message -----  
From: DWHALLETT@aol.com  
To: lk@leekent.com

Sent: Thursday, March 07, 2002 4:22 PM  
Subject: Re: John Majhor

Lee:

Sorry for the delay in the response. First off, don't sell Linda short? OK?

I don't know if Charlie/Lynn would make this deal with Majhor. I suspect it's 5K plus high of their "number." Moving expenses always are an issue with LM hires.

Float the trial balloon with Charlie. If anyone can get it done it will be him.

Regards--  
DWH

In a message dated 3/3/02 1:52:56 PM Eastern Standard Time, lk@leekent.com writes:

John will take 28 a year with a 2k moving allowance and make up the rest in remotes... I wonder if we can swing that deal? ....

sure would be nice to put two professionals on the air..

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Friday, March 08, 2002 5:20 PM  
Subject: Re: John Majhor

Hi Don,

>Break down the walls, but don't create, stir or instigate battles.

I know how to do that... I've always gotten things done faster than that takes... but that's ok with me... funny thing is there are no battles when a manager tells an employee to work for a living ... there is only one choice... either do or don't... but here there is another one... complain... it seems to have worked for them ...

Once when I was a kid, I knew a boy who bullied every kid in school. He did it to me too. I was a wimp then. One day I let him have it and he was the one that got expelled from school. The reason was because my dad went to the school and told the principal how allowing such activity only builds stronger victims...

>You have my support!

Thank you very much. You are a good start. My only personal difficulty is having my ethics and character questioned because people make up really good stories (like Bruce saying I told him "or else" in the note to him, which is a bold face controller bully lie and why I kept a copy of the note)...

Question: How do I deal with this: Linda has been calling Bobby (morning producer on 98Rock) ever since I have been here telling him in his words "every rumor she can think of, everything she hates and all the things 'you've done'". He tells her to leave him alone but she keeps it up.

My wife even called her today to try to befriend her to get her to lay off the rumor mill and letter writing and the backbiting. She only talked about looking for a doctor in town nothing else. Linda sounded better on the air after the call but what do I do to stop the problems when it looks like I won't be managing much....?

Lee

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Friday, March 08, 2002 9:25 PM

Subject: Re: John Majhor

Hi

Got a call a moment ago from Mike. He's taking Monday off to be with his mother for her birthday and he already told me about it but I guess I'll be the PD while he's gone... he told me that there is a temporary engineer taking Bruce's place for one week and gave me the number to reach the temp guy. Last I knew, he quit after throwing things at Charlie.

Temper tantrums, crying, lies, backstabbing and the new guy gets blamed. And its so sad that a guy I really admire is getting run over. All I want to do is my job which I took as being make it work and make money. I want to show Lyn that I would do what I told him it would do. Backing off the projections now. Taking it to the top is not what the staff intends to do. You can't pull a donkey that likes it being on its ass. And I can't replace them with workhorses.

The morning show will kick butt. Its a one man show for the owner. And hey don't worry... I will never lie, neither will I make my own kingdom and abuse the right to work here.

Lee

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Monday, March 11, 2002 3:54 PM  
Subject: Re: John Majhor

CONFIDENTIAL  
Don,  
CONFIDENTIAL...

Sorry I can't send you the memo on Linda. But nothing was said about what her memo to me said so here is the second to last paragraph... which got torn up along with my memo as we are starting from scratch.... I just can't win these things... I was not threatening anyone in saying accepting the letter was vicarious admission of the charges...

"I believe that this document constitutes harassment, and violates several state and federal statutes. If placed in my file, I will be forced to seek legal assistance in having it removed. Rude comments about this being radio for "humans" and assumptions of "booking dance parties" are personal and have no place in a business document."

Like I said... I'll be concentrating on my morning show now.... I'm not to put anything in writing and without an aircheck machine I can't have a one on one aircheck session... so far its been three accusations of lying and now its threatening... I don't have the blood pressure medication for that... and since I still haven't gotten our medical insurance papers I can't get any.... going to take a breather now... had a simply great morning show today... gotta do better tomorrow HA ;-)

CONFIDENTIAL

> I'm missing something?

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Thursday, March 28, 2002 7:31 PM  
Subject: Re: John Majhor

Thank you sir...

FYI this link is to a single break from today's Cool Cafe.  
This morning I left a handwritten note then talked it over with Linda about her not advertising her own business on the air unless it was a station sponsored event... but dang it... like an idiot I forgot to say she couldn't give free advertising to anyone else...  
<http://www.mediaiscorp.com/lk/bits/032902linda.mp3>  
this is a regular caller who does this every single day and like that idiot it never dawned on me to remind her of plugola laws  
lee

----- Original Message -----

From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Cc: john@majhor.com  
Sent: Thursday, March 28, 2002 1:25 PM



Subject: Re: John Majhor

In a message dated 3/28/02 3:12:19 PM Eastern Standard Time, leekent@comcast.net writes:

John Majhor is a go.

Nice job... I know he will bring LOTS to the project.

Congratulations Lee!

Regards--  
DWH

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Wednesday, January 23, 2002 2:20 PM  
Subject: Fw: Lets get to work

Don

CONFIDENTIALLY!

Now don't get me wrong here... I want this job and I'm not asking for the moon to acquire it (the offer made was below the estimate you told me about) but...

I am a bit confused. As you can see from the letter below and the phone call that occurred because of it an offer was made. I was not under the impression that a hire was not consummated. The only remaining issues to be discussed were the bonus and pay rate adjustments for ratings results, which were to be 'worked out'.

I was also under the impression that the job was originally operations manager but discussion has only been about PD and morning man for Cool. That is fine with me there will be more time to concentrate on one station but it is a bit confusing. And just like I am sure they are cautious in hiring somebody they don't know and a face to face is necessary to 'make sure the chemistry works' I feel the same way. Being asked to front the money for a trip (even if I had it) without knowing for sure if I would indeed be reimbursed was confusing.

I am, as Charlie has said "excited" about getting to work as well.

Perhaps you can shed some light on this for me? It would be greatly appreciated.

Lee

----- Original Message -----

From: NEWAVECOHN@aol.com  
To: lk@leekent.com  
Sent: Wednesday, January 16, 2002 1:51 PM  
Subject: Lets get to work

We are ready to make you an offer and get to work. Call me in Charleston

843-769-4799

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Cc: lmccohn@hotmail.com  
 Sent: Wednesday, July 10, 2002 3:43 AM  
 Subject: Re: massive luck with music hunt

Thanks. Here is a take on turnover... Cool is doing pretty darn good in this respect except for the wobble in P2... but like the attachment says... Charleston has not been released to any web site so there has to be a question about it somewhere... and anyway since trends aren't weighted it could be much different when they finally issue one someone can publish... according to insideradio.com this market is embargoed... I can't find the numbers anywhere  
 lk

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Cc: NEWAVECOHN@aol.com  
 Sent: Friday, February 08, 2002 10:30 PM  
 Subject: Meeting synopsis

Staff Meeting Synopsis:

2/7/02 4:PM-6:PM

Present:

Linda Logan  
 Skip St. John  
 Trish

Absent:

Stevie Byrd (full time job at work)

Synopsis:

Opened meeting with greeting and explanation from Charlie Cohn.

Began my discussion with evaluation of P25-54, P-25-49 and F25-49 ARB numbers in trends from Summer to Fall with detail examination of effective reach ratios showing performance of station in converting to quarter hour from cume. Staff understood significance of the loss of males in cume due to the frequency change and was amazed at the retention of females after the frequency change. Staff also understood and was intrigued with the obvious numerical representation of the closer to core target the evaluation progressed the more drop in AQH in females was noticed. Evaluation was not further detailed as each person then having the ERR calculation pledged to do so on their own. In follow up they did.

The following topics were covered in the meeting which followed:

1: The cut back of all on air contesting and games until they are replaced soon. Prizes already in the pipeline are being given

away as listener loyalty incentives and with caller #5 when that is not possible.

- 2: The cut back of over intensive and long and laborious imaging cuts replaced with "Cool 105-5" and a few of the shorter versions in preparation for new clocks and jingles. The purpose of which is the ease of tension on listeners 'getting into' the music having to stop the feeling for a 30-48 second montage.
- 3: Discussed the use of jingles and how they will 'audio logo' the station.
- 4: Discussed potential shift adjustments. Proposal is to start the morning show at 5:30 and run till 9 with Linda from 9-2 which will free up her afternoon duties in traffic then Skip from 2-6. Some discussion about Skip's inability to perform longer than 3 hours was held more will be held to determine the feasibility of this move.
- 5: Discussed the weekend shifts to remain the same for now.
- 6: Discussed clock adjustments mostly discussing (without disclosing any actual clocks) the tightness of presentation, the allotments of specific seconds of time for element execution and the actual execution of delivery.
- 7: Started the discussion about show prep, what it is, how to get it, what to do with it once they have it, how to deliver it in parts during an hour, how to tease it and milk it for TSL. Additional sessions will be required as no one in the room really knew what show prep actually was.
- 8: Discussed the van being 'out and about' during weekdays for short cut ins and prize awarding after mornings, and after pm drive starts...
- 9: Discussed the addition of cross promotion elements to come without disclosing what those will be. (For the record I will be using the "Skip Song" promotion to cross promote from mornings to afternoon drives and back where I read a list of five songs, that afternoon Skip will play those five songs minus one... call us after the 4th song and tell us the song Skip Skipped to win. The staff does not know this.
- 10: Discussed focus and passion for both the station and its listeners.
- 11: Discussed perspective of the listener and how to speak on air to one listener at a time in order to make each listener feel spoken to.
- 12: Discussed the purpose of a disk jockey. "To entice listeners to listen to the commercials". How to accomplish that was partially discussed in 'show prep' as well as additional sessions required for comprehension.
- 13: Discussed delivery styles, and I must say after one meeting today's deliveries of both main day part talents has drastically improved. Additional sessions will be required to make the change second nature.
- 14: Discussed personal sessions and critiques process. Talent checks each day's show on cassettes marked for days recording over the previous week's version. I will ask for a day to begin the air check session once each week on scheduled days. I will fast copy the cassette airchecked, include my report and send to Don.
- 15: Discussed prize process. There was no station prize procedure, no inventory and prizes were being secured by Skip and kept by both Skip and Mike. I have now installed an inventory system and have possession of all known prizes. I will dispense them as they are to be given away.
- 16: Discussed the over abundance of production and talk beds, comedy bits, staggers, liners, drops, funnies, show name cuts, sound effects, sounders and the like cluttering up DCS and how they have been all removed. (To later learn there were quite a few night tracks hidden under different cart names and numbers which have also been removed. Stopped the use of all elements not listed on the log.
- 17: Discussed the 'crutch removal system' ie: standard opening and closing lines to get them into the habit of not being habitual... those lines are Great Times, Cool Oldies, Cool 105-5, I'm \_\_\_\_ (insert name), then give time and

then give either current temp or do the forecast lead up... end with the slogan and station name. The only thing between opening and closing lines for now is to be the teasing or preselling of upcoming music or events or the execution of specific functions like traffic, weather extended forecast or other things.

18: Discussed the prohibition of playing any music not in the DCS system library in day parts that are not specific to requests. In day parts that have been specific to requests I laid out a process for where to find the song, if not there what to do to suggest the caller request one already on the log.

A copy of the minutes of the meeting taken by Linda Logan and quite extensive are being copied for Stevie Byrd.

During the meeting Trish requested to speak and informed me she did not like Linda's attitude to her. I told her that was the last anyone is to speak of such problems, we are a team and the team will get along.

I also informed Trish that her standing order for copies of the music logs for the weekend provided to her on Friday by the office was a special treatment not worth doing. She objected that she needed time to do her 'show prep'. I informed her we already established no one knew what that really was and that I do 30 or so breaks a day in less than an hour of 'show prep' and she can too. She said she was not in the business that long so I told her her job now is to sell the music and the commercials and if it means just say what's coming it does not take 'show prep' to do that. I ended the discussion by telling her the show prep deal was a dead idea and to drop it. She did.

We will hold another meeting next week before Thursday's changes take effect.

A word about Stevie Byrd: The notice I posted about the meeting was plain to all air staff. It also detailed 'mandatory participation'. Mr. Byrd did not manage to contact or excuse himself or acknowledge the meeting. Be that as it may, I was going to go to the station Saturday night to accommodate his schedule but since I do not have a station key yet that may be a bit difficult so I am going to still attempt to do so by calling the hotline around 7 pm to see if he will let me in. Barring any unforeseen interruptions I will attempt the session. In the one discussion I have had with Stevie since arriving here I let him do all the talking and I learned he has decades of experience, is a programming guru and has ideas to make things better in the nights. I'll be happy to hear them.

lk

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Thursday, July 04, 2002 6:29 PM

Subject: Nevermind

I spoke to Charlie about it. He knew. I'll take a mic from the 98Rock room tomorrow to use instead. I'm told Bruce is a weird duck but at least we're on the air. I still have a fuming part timer to deal with. No more complaining from me. End.

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Friday, April 26, 2002 3:19 PM  
 Subject: Personnel

Don

A final decision has been made on Linda Logan. After numerous internal problems that have been verified

Linda will be terminated soon. In the mean time I will be placing Bobby Collins, the production director into the midday slot as it is no cost to the station. He is on salary already. Bobby filled in for Skip in the past

1.5 trend periods. I will be working with him on inflection, delivery and show prep functions until a decision

is made regarding the midday talent. I have lost the midday salaried position in doing this so I'm at a bit of a quandry to find a suitable person. My preference would be a black female (we are far too lilly white for this format!). I had one such applicant but she has no experience and this is not a training ground

position, not now, not up against Cain Cameron live at CC's Oldies 102.5. It looks like I'll be attempting to

find a part time midday personality. I cannot voice track this shift and get anywhere with it against a live literal killer like Cameron. In office listening is a serious goal and with only two live bodies on the station we're going

to be hard pressed to not sound too white!... At least with Bobby I can continue the Cool noon Cafe feature

(its under contract with the sponsor anyway)... Bobby's link is <http://www.leekent.com/bits/bobbycollins.mp3>

it is from the one hour he did on the air today after Linda's four hour remote. I missed the first quarter hour as I

didn't get home fast enough to record the station. Giving a live shot to the receptionist tomorrow morning for two

hours. I'll be in there to teach, coach and 'just in case'.... As it is now.. .whew!... it will be soooome time.....

before she's ready for prime time... if...

Regards,  
 Lee Kent  
 PD WCOO  
 Cool 105.5  
<http://www.leekent.com>  
 ICQ:155225137

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Sunday, March 03, 2002 1:37 PM  
 Subject: Production Policy

Here is the production policy memo. It covers just about everything necessary to run a professional production establishment as there is nothing in place at the station now.

The current process amounts to all orders coming to Mike, who hands them out and then they fall into the cracks. I've talked to Mike about this and he agrees a policy has to be in place and anyway, he does too much as it is. Anything that deals with sales has already been cleared with the sales manager. We have a production director who does nothing. Time to work.

I look forward to your comments and I'll call your number in an hour or so unless you wish to do so. I'll be home ALL DAY... its raining and I have sunglasses, a dollar bill in my pocket and on a mission ... wait a minute that's too close to a movie line...

lee

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Sunday, February 24, 2002 10:01 PM

Subject: Re: Promotion: Movin Up

Funny that you bring it up.... <http://www.winsoup.com> is just that sort of thing... I have not had time to finish it, but I will work on it from time to time and it will do the following for COOL

- 1: Database of loyal listeners
- 2: Sign up online, email immediate (like joining a mailing list), fax, letters and every Friday on air...
- 3: Manage all prize inventory, sales levels, values, return on investments,
- 4: Result in an instant zip code map of the market showing how each promotion worked
- 5: Will play the contest for the airstaff, including
  - Chosing the loyal listener winner
  - Clock timing down time to call in to claim the loyal prize
  - Registrations
  - New loyal listener membership sign ups for on air use
  - Issue random caller times for random caller contests
- 6: Provide the office with the one stop shop
  - Prize claims
  - 1040 database
  - print out forms for disclaimers and permissions
  - audit inventory and track where they were won
  - track loyal listener eligibility instantly (if 30 days must seperate wins)
- 7: Provides sales with a portal to enter contest ideas, prize ideas  
promotions ideas
- 8: Provides programming with a portal to direct promotions
- 9: Provides sales management with a portal to track all functions,  
approve or reject promotion and sales ideas
- 10: Provides general management with a master portal to grant  
permissions to access sections of the site by person, overrule or  
approve events, expenditures and promotions

blah blah blah

it will do the whole 9 yards of running a promotional function at a radio station...

problem is, the control room has to be online to access it

which is why I'm not in a hurry to finish the programming... we won't be online

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Sent: Sunday, February 24, 2002 4:14 PM

Subject: Re: Promotion: Movin Up

In a message dated 2/24/02 10:59:38 AM Eastern Standard Time, lk@leekent.com writes:

Builds large database of advertisers  
for sales leads, touches local community strings  
and puts the station in the forefront of helping  
local business.

Lee:

Make is so..... please start working on gathering a fax database for a "loyalty program." We can discuss this as your convenience.

Regards--  
DWH

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com

Sent: Saturday, May 04, 2002 2:42 PM

Subject: Re: reality

<CONFIDENTIAL RESPONSE>

>before the weight hurts us all

Actually have never crawled under... not to worry, I know what's going on.. I've run it past a deep and oooollld friend who faced a similar situation and we agree...

>not have a number for Charlie

Nope. No calls, no number, no knowledge... but he says that won't happen anymore

>On Stern....

Don't misunderstand my feelings please... I hope it works out as planned... I'm just an old long time business man..

I support whatever Lynn wants done... and act like it in the station as well

>early morning calls

Was only one and justified anger, unlike Linda, she's a lady...

>management style

Let us not misinterpret spin for reality... I'm on Lynn's team... but protecting the owner can be twisted

>DOING THE JOB

I know.. and I know what it is... you're my only screaming post though, so hope you don't mind

taking the shout from time to time, passing the cup though is not an option on my part I wouldn't

miss this for the world.. the wall is teetering...  
 >maybe an engineer  
 Not really, he's only a goon who can't spell..  
 Thanks for the very intelligent response, my friend...  
 >back to work  
 Have never stopped... and never will... Lynn is going to win here...  
 <END CONFIDENTIAL>

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Friday, May 17, 2002 3:08 PM  
 Subject: resend

Don,  
 Today Bobby handed me a package from Trish, who dropped it off this morning at the station. It had a CD and a resume inside of it and a note. The note said "Mr. Martin told me it would be ok for me to submit an aircheck & application/resume to you. Perhaps if some type of opportunity becomes available on the weekend or other area in the radio business, you'll consider me. Thanks Patricia Trish Thompson."

I have recorded the CD to an mp3 file and uploaded it to  
<http://www.leekent.com/bits/trishdemo.mp3> , about 2.3 megs or so in size.

I don't have a scanner but if need be I can transcribe the resume (but its long ;-) ...

Sorry I wasn't able to come up with any audio on her from the DCS system but we did purge the files of all old material some time ago.

Lee

----- Original Message -----

From: Lee Kent  
 To: DWHALLETT@aol.com  
 Sent: Thursday, February 14, 2002 5:20 PM  
 Subject: Re: Returned mail: Cannot send message within 1 day

Sorry man no I did not see the response...  
 this morning went pretty good... some hardheaded mistakes and softheaded boobos (mostly missing commands which are no longer missing in dcs) a lot of late traffic reports since timing was not fixed yet... had a meeting at 10:30 and got that fixed with the boss of the traffic service... I have no idea how many calls I took but it started at around 6:30 with continuous calls until 9.... onle three people tried to get in more than once... I think somewhere of 240 or so got through... if another person had been doing it too I would have doubled... but oh well... maybe next time... I didn't expect it was going to take so long to get the people to give up the info... geesh a zip code and the last four SS numbers... not really a slow down they just wanted to talk more many welcomes and one outright solicitation (moist hug my rear)... it was fun... tomorrow things will be fixed mechanically... EXCEPT ANYTHING that requires an engineer.... if anyone has any pull please replace the engineer... his attitude is downright



horrible.. he is constantly putting Lyn down and bad mouthing the ownership in the hall ways... won't fix anything and never gets things done... still no aircheck machine installed, the production room is a literal disaster... the 5050 Otari is completely broken, there is no pot on the board that does not crackle and stop working... stereo splits are screwed up, the mic is popping and dying... the on air chain has the compellor set very wrong, no further headphone volume in the control room and he simple just does not care... ok I'll get off my horse for now... but there is only one person in that building with a bad attitude and it brings other people down... geesh if you want something fixed you have to ask the guy to decide if its broken before he'll consider it and NOTHING GETS FIXED.... oh sorry.... I can't stand bad team members... sorry enough for now well not yet... I have tried to be nice to this guy every single dayl... good mornings... howdys... all I get is totally ignored and everything is fucking this and fucking that about Lyn and the company... the man has got to go.. ok I'll shut up  
more later  
lee

In a message dated 2/13/02 6:43:36 PM Eastern Standard Time, lk@leekent.com writes:

Email was blocked by provider from aol addresses...  
attachment was logo sample

Lee:

The body of the returned E-mail that I forwarded had my response. If you can't reopen and read (SEE THE BOTTOM) let me know and I'll dig it up in my sent mail.

Have a great day! Hope the first show was great fun!!  
DWH

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Friday, July 12, 2002 5:12 PM  
Subject: Sales had a request

... for programming to put together a proposal for BellSouth to use for Cool Kids (Mike was kind enough to remember the promotion!!!!!!!) and we had 40 minutes to create it..

THIS is what I came up with from home in 30 minutes and emailed to the station.. Microsoft Publisher file...

<http://www.cool1055.net/powerpoint/bellsouth.ZIP>

to download the proposal

If they use it ....

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Tuesday, July 23, 2002 10:35 AM  
Subject: So did you know?

I got fired this morning. John quit in disgust.

A follow up letter will be coming soon detailing everything I have had to deal with in trying to make a station work when the general manager was destroying it and I will build a case.

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Tuesday, July 23, 2002 12:11 PM  
Subject: Re: So did you know?

Thank you for the offer of assistance. If you have another position, this time for people who are not politically motivated please let me know. You are a good consultant and it has been a pleasure working with you. As far as this station is concerned and what has happened, it has been a horrible work experience from day one with lies and innuendos told to keep the bad guy from doing anything professional. Hell, this morning the on hold music had been changed from 98Rock to a satellite delivered main-stream oldies music stream so callers think they are listening to Oldies 102.5. Absolutely everything I have said and done in this experience has been true. I was not the one telling lies. I performed my job professionally and I followed every order given to me by both Lynn and Charlie. They never matched up. I was in this job to make Lynn a winning station. He had one but Charlie refused to sell it, refused to market it, hates the music, considers it a black station "and we don't have a black salesman", and pulled one of the most effective spin trips I have ever seen in business and I've been in business for a very long time. The wrong person got fired, Don. I really missed seeing Lynn this last visit but I was not permitted to speak to Lynn even on the phone. I was used in this case to protect totally incompetent management with threats from the goon engineer, cold shoulders, accusations of things (like the logs not being picked up, hell, I walked in after a long holiday weekend to find the logs still in the control room and it gets spinned to make me look like the culprit when in fact Leslie never picked up logs and Mike Allen said it was HIS RESPONSIBILITY. I've been harmed in this mess and I will not let it go. In the mean time, my wife is in the middle of a series of serious tests going on to identify stomach and back pains and it is not done. The money I was supposed to pay back for the move is not owed by me, deducting it from the pay checks is not permitted. I am due this current check, the 9/10th's of the next pay check and severance pay plus the remotes I am trying to collect today. I no longer have to be political to keep this job. I am a professional but I am not an idiot. I have saved everything. Absolutely everything. You fired the wrong person, Don. And you will know it when the coming letter is complete. Just like Trish, I will not go away quietly.

----- Original Message -----

From: DWHALLETT@aol.com  
To: leekent@comcast.net  
Sent: Tuesday, July 23, 2002 11:57 AM

Subject: Re: So did you know?

Lee:

Yes, I knew LM had made this decision. I am sorry, but I was not at liberty to give you a heads up. What difference would it have made? Either way, I'm sorry this has happened.

I'd like to suggest that instead of following up with "A follow up letter will be coming soon detailing everything I have had to deal with in trying to make a station work when the general manager was destroying it and I will build a case" that you consider taking some time to deal with the emotions of losing a job before you do anything. Understand?

I'm here if you would like to talk. Let me know what you'd like to do next and I will assist in anyway that I can.

Regards--  
DWH

In a message dated 7/23/02 10:36:00 AM Eastern Daylight Time, leekent@comcast.net writes:

I got fired this morning. John quit in disgust.

A follow up letter will be coming soon detailing everything I have had to deal with in trying to make a station work when the general manager was destroying it and I will build a case.

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Saturday, March 02, 2002 12:00 PM  
Subject: The list....

I am sending this to you. Suggestions are appreciated and encouraged please.

Situations and issues that need to be dealt with now. It is better for me to put this in writing and email them rather than take up countless minutes of meetings with little or no record of the proceedings for future reference and tracking of the situations and issues. In order to "kick ass" with this station it appears some asses are needing kicking. I am aware this will be a rather long dissertation but the issues need explanation and detail and immediate action.

There is a malaise in the programming area that needs immediate attention. The staff just goes through the motions and does their jobs to the least of their abilities. No extra effort is made. I have had parttimers from 98Rock applying to move to Cool (which has no openings for them). Promotions is not organized and Ray (promotions person) does not complete the tasks assigned to him without continuous prodding. I have solutions for these issues and they need to be

taken care of. I am issuing a memo Monday (a copy of which will be sent in email this weekend) that Mike and I will both sign that will organise production and quality issues and deal with processes that are not in place here. In the mean time there are serious issues:

1: Yesterday morning (Friday 3/1/02) it came to a head with a phone call placed to the hotline number just as I was going into the :36 set in the 7AM hour. Jessica Mickey had not yet called in for her traffic report (which comes in on the hotline at that time). As I always do when she calls, I took the call live and told her "hello, thanks, we have 5 seconds, here we go". Since the cue line does not feed the headphones I have no possibility of hearing if she has hung up or if the line has gone dead until I actually go to the line live on the air. In this case I went through my 60 second rap and cued her with the shout, potted up the line for her traffic report and the line was empty. I said "hello" and paused for an answer. During this pause I heard her talking faintly in the background like she was over another speaker being picked up by the phone that had called the hotline. Another voice was in the background with a "thank you Jessica". Then the line was disconnected by the caller. It did not take long for this to happen. I dumped out of the traffic bed and hung up the hotline. Immediately it rang and it was Jessica saying she could not get through because the line was busy.

After the report was finished (which was run after the set in make up) I called my wife to see if she heard the same thing and she had. A person, knowing that Jessica had not yet called (she was tied up with 98's feed and was late in her call) used the hotline to tie up the hotline for her call with only one purpose. To disrupt and damage the Cool morning show. The sound heard in the background was the 98Rock cue feed.

The only people in the building were Bobby (who was working, running the board at 98Rock and playing Jessica in cue) and Bruce who arrived at 7:30 instead of his usual 6:30 where he spends that time in his office talking on the phone and playing solitaire.

This is the most recent attempt by someone in the building to damage my efforts and that of Cool 105-5. Other events have been: (Although there may be more as yet not found)...

A: The legal ID was placed in the system with "An LM Communications Company" in it and was badly edited by someone to remove that line without permission.

B: Two public affairs commercials I recorded (with the production order being on top of the pile in the production room) were tampered with. From Darkness to Light 30 second spot was cut off at 9 seconds. The 60 second spot was cut off at 1 second. They aired first on 98Rock where DC found them, I re entered the audio into the carts and they were not missed.

C: Yesterday morning (Friday 3/1/02) the NC11 DCS cart holding the cross promote sweepers for middays and afternoons had a third unauthorized cut added to it containing 51 seconds of dead roll. The only people who know that cut runs at 15 and 45 (the times I go outside during the morning because of the two song back to back roll) were Bobby and Bruce. This was the day after Bruce had complained about receiving transmitter messages for the stations saying he was "not responsible for dead air after leaving the building". I caught the cut before it aired as it did not belong there so no damage was done but it would have caused the alarm to go off for Cool while running a seemingly valid DCS cut.

D: Yesterday morning (Friday 3/1/02) the batteries I use (which had just been charged up) to run my portable clip on radio (which I use for on air monitor since the control room

air monitor cannot be raised in volume enough and is so bad a quality I can't listen to it) were completely discharged. I found two batteries in another drawer and used those.

E: When the computers returned from the shop the one installed in Ray's desk area was set up with the screen saver "JOCKS SUCK".

F: The entire time I have been in the building Bruce has not addressed me directly. For days on end I have attempted to greet him in the morning which has been ignored, not only by refusing to respond but by walking away. I have no idea what his problem is but it is the only bad attitude in the building and now there can be no option that it is effecting the on air presentation of Cool for whatever reason.

For one week now I have not addressed him and have taken the same position as Bob has, to ignore him. The only direct contact with him has been when he wishes to complain.

G: In the mean time there are equipment problems and situations that need to be addressed and not doing so is hampering Cool's forward movement. This list is the engineering problem list for Cool (some effects 98Rock as well) each with explanation and solutions offered. It appears that either I kneel to honor the engineer to beg to have anything done at all and then write them off to his excuses (such as the most recent one given to Mike for not repairing things being that "when Lyn pays his bills" (which is NOT the kind of discussion that should be in the building) or I ask directly for permission to have the functions completed and I take care of it.

1: Aircheck machine for Cool. Bruce has declared this will entail a distribution amplifier and cost upwards to 700 dollars. Absurd. Aircheck machines must run from the air signal, not the board's program so no DA is necessary. All it takes is tapping the same receiver as the air signal is fed to the board to monitoring (doing so from the receiver not the board) and tapping the mic switch for on-off of record using a decent and cheap cassette recorder from radio shack mounted in the control room. Total cost... 200 bucks tops, possibly no cost with a radio shack trade.

2: The air signal fed to the board has GOT to be fixed. It sounds like it is being taken from the mod monitor, has no volume to it, (I need to be able to hear the station on air, not program). It needs to be clear and clean and not scratchy and jumbled like it is now.

3: The chip in the DCS machine has got to be replaced with one that does not incorrectly calculate time. The DCS is running nearly 5 minutes fast each week which completely destroys the reason spot set times have been set where they are. Now that we are running recorded infomercials Saturday and Sunday mornings which are to be aired at specific times the DCS is running them a minimum

of five minutes late which coupled with the DCS's inability to end an hour of music when it is supposed to (DCS was not designed to run voice tracked music delivery) it causes these shows to run 8 to 10 minutes late, throws off the next hour and by the time a live person takes over the station it is 15-20 minutes late in content completely throwing off the legal ID location and stop set locations.

4: I need the main microphone in Cool's control room to be changed from the Sennheiser to an EV RE20 from the production room. Take the second mic out of the production room and replace it with the Sennheiser from the Cool control room. That way voice tracks can be created in the production room and will sound the same as those made in the control room. Linda's voice tracks made during her show in the week cause continuous dead air as she hits F10 too often. Our live periods cannot be interrupted with voice track requirements and still use the live times to increase TSL. The Sennheiser is fine for production but not for on air use. I need the bandwidth the RE20 offers for my voice.

5: I need the monitor energy saver in the control room that runs the phone call recorder to be TURNED OFF. It does not need to be run as it saves nothing for a working monitor. Regardless that monitors have not been made since 1998 that need screen savers, the screen saver is fine but I can't keep turning to the phone computer recorder to take a quick call and have to wait for it to restart the monitor before I can answer the call.

6: I need that completely obnoxious off air alarm to be either ripped out or changed. I have alarms screaming over the microphone on Cool if a low intro song starts on 98Rock and it about takes the skin off of the local ants in screeching volume. It also cannot be turned off unless someone has access to the inside of the engineering room. That alarm was installed because somebody did not fire the person who kept falling asleep in the Cool control room and instead installed the loud

alarm system. An alarm for off air is fine but it does not have to take the paint off of the walls. The solution the staff has come up with is to yank the alarm itself off the rack and unplug it to get it to stop. That is absurd.

7: The Cool control room is a serious fire hazard. Electrical plugs are not covered. Wire is hanging all over the floor. The connection blocks and hanging wires are uncovered. All it would take to destroy the station is some guest to put his foot up for a second in the wrong place. Covers need to be installed on the cabinets and tables. The room NEEDS TO BE FINISHED.

8: One outlet in the back wall of the Cool control room not only has the cover missing but the plug plastic is also missing. That leaves the metal plug completely open to be touched by anyone. It is a serious fire hazard and safety issue.

9: I need a temperature gauge in the Cool control room. There is one in 98Rock which causes running back and forth across the hall looking to find what temp it is. Weather is important in this market and it appears Cool has not cared about it. That has changed but I need the tools to be able to report it.

9A: I need a decent clock. Radio shack has a cheap one large and on time.

10: The tiny television in the Cool control room needs to be removed and replaced with the larger television wasting away in the production room so we can actually SEE a weather radar screen.

11: We need cable in the building in order to bring in the weather channel's radar screen. Run it to both stations so we can actually report on CURRENT conditions especially in the upcoming storm season.

We can't just give lip service to the weather situation here and try to be considered responsible and dependable as a source of weather information in an area where it IS the topic.

12: The building signage is in the process of being replaced as I was requested to do. The large broken non lighted sign is being replaced with two 3x5 printed signs, one will be installed on each side of the main door and the broken building lights will be used as outlets to place spot lights on the logos.

13: In the Cool control room: The headphone outlet designed to be used for guest headphones is being used for the on air talent which causes the headphone wires to droop over the board and over the DCS keyboard. The control board's headphone outlets do not work. It does not matter where the headphone outlets

are coming from they just need to be OUT of the way of the operator. Move the headphone outlets to behind

the board for guests and run ONE headphone outlet under the table for the operator to plug into. There is

far too much clutter in the control room to keep this as it is.

13A: Cue needs to go to one channel of the headphones.

14: I do not like the way the station sounds in processing on air, but that can be taken care of when we get the above fixed first. It is close to being right but not where it needs to be for listeners.

15: I strongly suggest an alarm system be traded for installation on the building outside doors. This will not only keep down potential theft but will also track who is in the building during off hours and for how long. I arrive at 4:30 too often to find the inside lights on showing off the contents of the main office for theft potential. Adding blinds to the doors will help reduce the theft potential as well.

16: In the production room the Otari 5050 machine is a total disaster. It will not run. Any tapes coming in for production cannot be played.

17: The new board in the production room is great but the levels are not balanced. Too many pots are off center with one channel being hotter than the other. This needs to be calibrated and the job finished.

18: Production microphone channels need tweaking the volume needs to be turned all the way up to get either mic to feed the Cool edit pro machine inserting air noise and room ambiance into the recording.

19: The computer installed on my desk is toast. It will not run Powergold without hanging up and crashing. I cannot use it for music scheduling so we are back to sharing one computer for music for both stations and its getting to be a major scheduling pain.

20: The printer upstairs in the programming office will not work properly. There is no reason for a printer to be in the production room when those computers feed the downstairs printer. I need a working printer upstairs

for quick show prep print outs and weather updates for the staff. Move the printer from the production room to the programming office and hook it up to work properly for both systems (saying the one on my

desk is somehow replaced with one that works).

21: The phone installed on my desk does not work. It will not access any other buttons than the ones needed

to answer an incoming line call or call out. No voice mail availability. A replacement was requested by Mike since I can't get a response when attempting to talk to the engineer.

22: Charlie's solution for the brokem DAT machine in 98Rock's studio (to get two far less expensive mini disk recorder-players) makes perfect sense. If a mini disk was also installed in Cool's control room (still a total far less than replacing the one DAT machine in the 98Rock control room) we could also use it to record air quality feeds for use in promos and contest calls.

23: Using the production room DAT machine to archive spots will be accomplished in the production memo to be issued Monday. It has a good purpose and will save countless hours of redoing spots as well as free up a great deal of space in the Cool edit pro computer and the DCS computer where far too much literal junk is now stored.

We have started a new, enthusiastic and determined and planned growth process for Cool. Staff is being tweaked to the best of their abilities and alternate plans are being made in that regard. Cool will indeed "kick ass" but we need these things addressed and ordered to be completed quickly. We need everyone in the building to be positive in attitude and it makes absolutely no sense that others see how one person has to be buttered up to get him to do his job. It makes for a staff thinking they don't have to work up a sweat either.

Now that the on air sound of Cool is getting closer to being correct and the cume enhancing process is about to begin we need to fix the internal 'same ol same ol' problem and move forward as a cohesive and dedicated team of HARD WORKING professionals. Give me the permission to get these done and they will be done. But someone please tell the engineer to start playing engineer and not solitaire. Everyone knows he plays games while they have to do with equipment that needs repair or problems that can be solved now.

Lee Kent  
PD WCOO  
3/2/02

----- Original Message -----

From: Lee Kent  
To: DWHALLETT@aol.com  
Sent: Saturday, March 02, 2002 10:07 PM  
Subject: Re: The list....

Just now got this Don. After the 10-2 shift today we spent time renting some movies to break up the 'radio all the time' condition here. I won't issue a memo on the engineering situation which is why I sent it to you. I won't issue anything until we can talk it over. I know there has to be politics here somewhere and I won't mess anything up for Mr. Martin. That is where my loyalty resides. And the joint memo would be run past and signed off on by Charlie before it gets put out too. A united front is required.

Mike and I talked the generics over about the production memo with Bob, the sales manager who asked for some detail on cut off times so he can force his staff to follow rules and he loved the basic layout of the idea for production. I'll have that sent to you tomorrow. If you can please revise and recommend then so I can get it to Charlie and Mike Monday morning and then posted and distributed.

If you don't mind please call me at 843-343-8503 (my cell number) or 843-873-3432 (my home number)

but probably tied up with the dial up access and work i'll be doing online) when ever you have the time if we don't connect when I call. I get up rather early you know.... ;-)

Thanks for your 'shoulder' and advice....

Lee

----- Original Message -----

From: DWHALLETT@aol.com

To: lk@leekent.com

Sent: Saturday, March 02, 2002 4:49 PM

Subject: Re: The list....

In a message dated 3/2/02 9:00:28 AM Eastern Standard Time, lk@leekent.com writes:

Suggestions are appreciated and encouraged please.

Lee:

I suggest we talk about this tomorrow. I "feel your pain." Please don't issue any memo regarding the engineering situation until you and I speak. As for production guidelines, the general malaise, etc., a joint stance from you and Mike is a great plan. I'd review the same with Charlie before general staff receive it.

Lee... Monday is going to be crazy with the move to Dublin. Ring me tomorrow. If you get V/M, suggest a time late afternoon/early evening when I can reconnect. Of course I will need a phone number.

If you get this in the next 15 minutes, call me tonight. 614-451-9580

To your success!

DWH

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com ; lmccohn@hotmail.com

Cc: Rockdoc98@aol.com

Sent: Monday, July 08, 2002 7:21 PM

Subject: Ratings evaluation

Gentlemen,

Since I just received the numbers today I've been hard pressed to get this done today and take care of medical sessions this afternoon but it is done for the available numbers I had. I did not calculate 18+ numbers but I will tomorrow. I will also add more stations into the calculations but the results are going to be the same.

The file is self explanatory.



I would suggest a direct mailing, targeted to different zips for both stations modeled on the one presented at the <http://www.cool1055.net/powerpoint/> location under advertising.

Both stations need to let people know they exist to get out from under the pressures of small changes in trends making a big difference. We can only do that with much more cume listeners and that comes from getting into people's faces before we can expect them to put us in the ears.

Respectfully Submitted,  
Lee Kent

----- Original Message -----

From: Lee Kent

To: DWHALLETT@aol.com ; lmccohn@hotmail.com ; Ace42u@aol.com

Sent: Wednesday, July 24, 2002 5:12 PM

Subject: This is what you keep?

This email was just received. The same person sent the notice of a bad sounding station which everyone said was a lie. I know better. The photo was taken from my leekent.com website and the audio was named exactly as it is named here. I converted it to MP3 instead of overloading your inboxes with the FOUR MEGABYTE WAV file that overloaded mine. Just like each time in the past where they were ignored when such mail was received I am saying again ... stop this. Sabatoge during a rating period of a federally licensed broadcast facility and now the problems continue. I get canned because I stood for the truth. I've had enough of being attacked. The attacks will stop.

This person logged in at 4:59pmp today's date.

Page: resumeindex.html

Site: LK

User:

Identity:

Host: adsl-33-210-21.gsp.bellsouth.net

Address: 67.33.210.21

Software: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; .NET CLR 1.0.3705)

Referer:

GHA Host: adsl-33-210-21.gsp.bellsouth.net

GHA Aliases:

GHA Addresses: 67.33.210.21

Finger Result: user unknown

His email is this: with headers...

Return-path: <xradio@bellsouth.net>

Received: from bright03.icomcast.net (bright03-qfe0.icomcast.net [172.20.4.55])

by msgstore03.icomcast.net

(iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002))

with ESMTP id <0GZR009G7U8VUC@msgstore03.icomcast.net> for

leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Wed,

24 Jul 2002 16:58:10 -0400 (EDT)

Received: from mtain01 (bright-LB.icomcast.net [172.20.3.155])

by bright03.icomcast.net (8.11.6/8.11.6) with ESMTP id g6OKvwu20182 for

<@msgstore03.icomcast.net:leekent@comcast.net>; Wed,

24 Jul 2002 16:57:58 -0400 (EDT)

Received: from mail1.directnic.com (mail1.directnic.com [66.79.10.200])  
 by mtain01.icomcast.net  
 (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002))  
 with SMTP id <0GZR008RRU7ZTZ@mtain01.icomcast.net> for leekent@comcast.net  
 (ORCPT leekent@comcast.net); Wed, 24 Jul 2002 16:57:44 -0400 (EDT)  
 Received: (gmail 26353 invoked by uid 222); Wed, 24 Jul 2002 20:57:31 +0000  
 Received: (gmail 26132 invoked from network); Wed, 24 Jul 2002 20:57:24 +0000  
 Received: from mail016.mail.bellsouth.net (HELO imf16bis.bellsouth.net)  
 (205.152.58.36) by mail1.directnic.com with SMTP; Wed,  
 24 Jul 2002 20:57:24 +0000  
 Received: from bitch ([67.33.210.21]) by imf16bis.bellsouth.net  
 (InterMail vM.5.01.04.19 201-253-122-122-119-20020516)  
 with SMTP id <20020724205546.YKRA9213.imf16bis.bellsouth.net@bitch>  
 for <lk@leekent.com>; Wed, 24 Jul 2002 16:55:46 -0400  
 Content-return: prohibited  
 Date: Wed, 24 Jul 2002 16:54:07 -0400  
 From: Donald Strawn <xradio@bellsouth.net>  
 Subject:  
 To: lk@leekent.com  
 Message-id: <000b01c23354\$416a7340\$02affea9@bitch>  
 MIME-version: 1.0  
 X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2600.0000  
 X-Mailer: Microsoft Outlook Express 6.00.2600.0000  
 Content-type: multipart/mixed;  
 boundary="----=\_NextPart\_000\_0007\_01C23332.B9D6D200"  
 X-Priority: 3  
 X-MSMail-priority: Normal  
 Delivered-to: leekent-com-lk@leekent.com

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_0007\_01C23332.B9D6D200  
 Content-Type: multipart/alternative;  
 boundary="----=\_NextPart\_001\_0008\_01C23332.B9D6D200"

-----=\_NextPart\_001\_0008\_01C23332.B9D6D200  
 Content-Type: text/plain;  
 charset="Windows-1252"  
 Content-Transfer-Encoding: quoted-printable

-----=\_NextPart\_001\_0008\_01C23332.B9D6D200  
 Content-Type: text/html;  
 charset="Windows-1252"  
 Content-Transfer-Encoding: quoted-printable

```
<!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">
<HTML><HEAD>
<META http-equiv=3DContent-Type content=3D"text/html; =
charset=3Dwindows-1252">
<META content=3D"MSHTML 6.00.2716.2200" name=3DGENERATOR>
<STYLE></STYLE>
</HEAD>
```

<BODY bgColor=3D#fffff>  
 <DIV>&nbsp;</DIV></BODY></HTML>

-----=\_NextPart\_001\_0008\_01C23332.B9D6D200--

-----=\_NextPart\_000\_0007\_01C23332.B9D6D200  
 Content-Type: image/jpeg;  
 name="aboutlk.jpg"  
 Content-Transfer-Encoding: base64  
 Content-Disposition: attachment;  
 filename="aboutlk.jpg"

----- Original Message -----  
 From: NEWAVECOHN@aol.com  
 To: leekent@comcast.net  
 Cc: DWHALLETT@aol.com  
 Sent: Friday, May 17, 2002 9:01 AM  
 Subject: Re: Fw: Sound

NOBODY has touched the processing. if there is a problem I WANT TO KNOW ABOUT IT. I am not sure this is a real listener. LISTEN YOURSELVES AND DECIDE.

>From: NEWAVECOHN@aol.com  
 >To: wazuptoyou@hotmail.com  
 >Subject: Re: Chris Cantrell  
 >Date: Sat, 16 Mar 2002 09:12:00 EST  
 >  
 >  
 > What has he written now? Bruce is just a contract employee and will  
 >hopefully finished as soon as we get a replacement. I would like to see  
 >what else he has written, please save them as he it litigious like many  
 >others  
 >these days. Forward them or just let me see them next week. Thanks for the  
 >follow up on Chris. Do you know his financial needs or what he is doing? Is  
 >he in Sarasota Fl. Great town where I used to own radio stations. Thanks  
 >for  
 >the follow up.

>From: Bruce Musso <brucemusso@comcast.net>  
 >To: lk@leekent.com  
 >Subject: cry baby  
 >Date: Fri, 15 Mar 2002 22:37:55 -0500  
 >  
 >  
 >comcast said, if you can't stand the heat get off the web  
 >  
 >  
 >  
 >

>your's truely  
>  
>Bruce Mussolina

>>From: "Donald Strawn" <xradio@bellsouth.net>  
 >>To: "Lee Kent" <lk@LeeKent.com>  
 >>Subject: Kiss My Cheeks  
 >>Date: Fri, 15 Mar 2002 22:17:45 -0500  
 >>  
 >>Mr. Morning Dick Jockey  
 >> This man would love to kiss yo cheeks!  
 >  
 >



>From: abuse@comcast.net  
 >To: wazuptoyou@hotmail.com  
 >Subject: re [Fwd:]  
 >Date: Fri, 15 Mar 2002 11:35:23 -0500 (EST)  
 >  
 >Thank you for bringing this matter to our attention. We apologize for any  
 >inconvenience this matter has caused you. Unfortunately, we receive a large  
 >number of complaints each day at Abuse@comcast.net. Regretfully, a  
 >personalized response to each message is not possible. However, please be  
 >assured that Comcast investigates each reported occurrence of Abuse  
 >violations. We maintain a zero-tolerance policy and will take the  
 >appropriate action as permitted by Comcast's Acceptable Use Policy. To view  
 >our policy, please refer to the following link  
 ><http://comcast.comcastonline.com/memberservices/TermsOfService/>.

>  
>Please be advised that Comcast is prohibited from disclosing personally  
>identifiable information without a valid law enforcement subpoena.  
>Information pertaining to the subscriber(s), or the specific action taken  
>in  
>regard to this complaint may not be disclosed. Comcast is very confident  
>that we will identify the alleged offender and take the appropriate action.  
>  
>In the near future, Comcast will provide a site that will link you to  
>information that will help you get a better understanding of the problems  
>with unsolicited e-mail, viruses and port scans. In addition, we will  
>provide frequently asked questions (FAQ) and links to some useful online  
>information about abuse within the Internet.  
>  
>Sincerely,  
>  
>Comcast Network Abuse and Observance Team

>From: Bruce Musso <brucemusso@comcast.net>  
>To: lk@leekent.com  
>Date: Fri, 15 Mar 2002 17:55:21 -0500  
>  
>dream on, if you don't want mail don't post your address

>From: Bruce Musso <brucemusso@comcast.net>  
>To: lk@leekent.com  
>Date: Fri, 15 Mar 2002 07:59:53 -0500  
>  
>you still suck  
>

>From: Bruce Musso <brucemusso@comcast.net>  
>To: lk@leekent.com  
>Date: Wed, 13 Mar 2002 21:29:16 -0500  
>  
>You Suck

Return-path: <garylemel2000@yahoo.com>  
Received: from bright02.icomcast.net (bright02-qfe0.icomcast.net [172.20.4.9])  
by msgstore03.icomcast.net  
(iPlanet Messaging Server 5.1 HotFix 0.6 (built Apr 26 2002))  
with ESMTP id <0GW800G67G3W2J@msgstore03.icomcast.net> for  
leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Thu,  
16 May 2002 21:57:32 -0400 (EDT)  
Received: from mtain07 (lb-ldap-155.icomcast.net [172.20.3.155])  
by bright02.icomcast.net (8.11.6/8.11.6) with ESMTP id g4H1vUL28656 for  
<@msgstore03.icomcast.net:leekent@comcast.net>; Thu,

16 May 2002 21:57:31 -0400 (EDT)  
 Received: from mail2.directnic.com (mail2.directnic.com [66.79.10.202])  
 by mtain07.icomcast.net  
 (iPlanet Messaging Server 5.1 HotFix 0.6 (built Apr 26 2002))  
 with SMTP id <0GW800EKL3STU@mtain07.icomcast.net> for leekent@comcast.net  
 (ORCPT leekent@comcast.net); Thu, 16 May 2002 21:57:28 -0400 (EDT)  
 Received: (qmail 28649 invoked by uid 222); Fri, 17 May 2002 01:57:27 +0000  
 Received: (qmail 28645 invoked from network); Fri, 17 May 2002 01:57:27 +0000  
 Received: from web21504.mail.yahoo.com (66.163.169.15)  
 by mail2.directnic.com with SMTP; Fri, 17 May 2002 01:57:27 +0000  
 Received: from [68.58.160.7] by web21504.mail.yahoo.com via HTTP; Thu,  
 16 May 2002 18:57:26 -0700 (PDT)  
 Date: Thu, 16 May 2002 18:57:26 -0700 (PDT)  
 From: gary lemel <garylemel2000@yahoo.com>  
 To: lk@leekent.com  
 Message-id: <20020517015726.83956.qmail@web21504.mail.yahoo.com>  
 MIME-version: 1.0  
 Content-type: multipart/alternative; boundary="0-851751606-1021600646=:83827"  
 Delivered-to: leekent-com-lk@leekent.com

--0-851751606-1021600646=:83827  
 Content-Type: text/plain; charset=us-ascii

your station sounds muddy and mumbling,,,,,too bad so sad

-----  
 Do You Yahoo!?  
 LAUNCH - Your Yahoo! Music Experience  
 --0-851751606-1021600646=:83827  
 Content-Type: text/html; charset=us-ascii

your station sounds muddy and mumbling,,,,,too bad so sad<p><br><hr size=1><b>Do You Yahoo!?!</b><br>  
 <a href="http://rd.yahoo.com/welcome/\*http://launch.yahoo.com">LAUNCH</a> - Your Yahoo! Music  
 Experience  
 --0-851751606-1021600646=:83827—

DWHALLETT@aol.com  
 wazuptoyou@hotmail.com  
 Re: MEMOS

Wed, 13 Mar 2002 17:46:39 EST

In a message dated 3/13/02 2:59:43 PM Eastern Standard Time, wazuptoyou@hotmail.com writes: my positive attitude has not diminished I just can't show it now... I'm the lucky beaten down and handed the keys to the door.. not leaving! Lee: Chill.... Trust me.. I knew about the Skip's writing project before you did. You have my support. You have Charlie's support. I spoke to him late today. I promise Trish has lost LYNN'S employment. Need I say more? Okay, I will. We hired a manager. It appears those who have not had rules, much less management, are screaming foul. To my knowledge, you have thrown no fouls. Instead of approaching in "kick ass" mode, you may need to block and tackle to actually get down the field. If that means a few positions turnover, so be it. But it won't happen overnight. Remember our conversations? LM can move slow. Getting 30K out of the company for John will take some time. The possibility of Stern has them distracted so it may take longer but budget for Stern won't necessarily preclude you from having budget for airstaff. Patience.... You may feel like the wagons are circling. I don't blame you. It's a tough position to be in no matter how thick your skin is. What they don't know is THEY have trekked in to quicksand. Charlie asked me to tell you to copy me on your aircheck memos and the responses. I realize no copy of Linda's may exist? Send them via E-mail here or fax to 866-RADIO27. I may, with your and Charlie's approval, do a little intervention. Has Grandma Hallett always said, "This TOO shall pass." Peace be with you my friend! Your consultant, mentor and fan

DWHALLETT@aol.com  
wazuptoyou@hotmail.com  
Re: Fw: important update... confidential  
Mon, 11 Mar 2002 09:06:58 EST

In a message dated 3/11/02 9:01:30 AM Eastern Standard Time, wazuptoyou@hotmail.com writes:would make a perfect midday talent to compliment me and JohnLee:Let me suggest that before you right off Linda that you are sure that what has occurred won't blow over or is simply a misunderstanding. Talk this through with Charlie. I suggest management make sure that they have "grounds" before releasing any employee from L.M.'s employment roster.Regards--DWH

Linda Logan continues employment with everything she has done and I and my family lose our livelihood and reputation?

DWHALLETT@aol.com  
wazuptoyou@hotmail.com  
Re: Silly No time for this  
Mon, 25 Feb 2002 09:52:46 EST

In a message dated 2/25/02 5:10:02 AM Eastern Standard Time, wazuptoyou@hotmail.com writes:Bruce nto only wrote the memo but he came into the station and cut up and edited my legal ID which LYN told me to do with the ownership name in it and replaced my jingle cut on the air in both carts. That is enough. Get this guiy outta here...!!!!!!!Let him burn his own bridge. That's my advice. If you need things done engineering wise, mention them to him, tell him you'll write them down for his convenience and then write the list (with no swords!) and copy Charlie.I'll send you a pair of kid gloves:)Regards--DWH

DWHALLETT@aol.com  
wazuptoyou@hotmail.com  
Re: Memo  
Mon, 25 Feb 2002 09:50:19 EST

In a message dated 2/25/02 4:53:06 AM Eastern Standard Time, wazuptoyou@hotmail.com writes:You will address your anger and issues someplace else.Lee:Do as you wish, but you asked for my advice. Pull in the horses. Wait a day or more and go to Bruce in person. Ask him what the purpose of the memo was telling him the issue has been resolved. Stay calm and cool. If he blows or there is no resolve from you approaching "hat in hand," take the conflict to Charlie.We can discuss this in real time if you'd like at any time.This TOO shall pass:DWH



**INFORMATION  
FOR DEMAND  
FOR GRAND JURY INVESTIGATION  
AND  
INDICTMENTS  
AND  
PROSECUTION FOR CRIMES  
STATE AND FEDERAL**

SUBMITTED: JANUARY 13, 2004  
Amended & Updated March 10, 2004

The confidential access credentials for Cari Dominguez was used improperly by an unauthorized person within North Carolina attempting to access the secure evidence server. Logs are retained.

**SUBMITTED FOR PROSECUTION TO:**

- **JOHN ASHCROFT, ATTORNEY GENERAL UNITED STATES OF AMERICA**
  - U.S. Department of Justice
  - Office of the Attorney General
  - 950 Pennsylvania Avenue, NW
  - Washington, DC 20530-0001
  
  - Civil Rights Division
  - U.S. Department of Justice
  - Office of Assistant Attorney General
  - R. Alexander Acosta
  - 950 Pennsylvania Ave., NW
  - Washington, D.C. 20530
  
  - Criminal Section
  - Civil Rights Division
  - U.S. Department of Justice
  - P.O. Box 66018
  - Washington, D.C. 20035-6018
  
- **J. STROM THURMOND JR. UNITED STATES ATTORNEY**
  - J. Strom Thurmond, Jr.\*
  - First Union Building
  - 1441 Main Street
  - Suite 500
  - Columbia sc29201
  
- **HENRY MCMASTER, ATTORNEY GENERAL STATE OF SOUTH CAROLINA**
  - The Honorable Henry McMaster
  - Office of the Attorney General
  - Rembert Dennis Building
  - 1000 Assembly Street, Room 519
  - Columbia, S.C. 29201
  
- **ROBERT S. MUELLER, III, DIRECTOR FEDERAL BUREAU OF INVESTIGATION**
  - Federal Bureau of Investigation
  - Office of the Director
  - J. Edgar Hoover Building
  - 935 Pennsylvania Avenue, NW
  - Washington, D.C. 20535-0001
  
- **MARK SANFORD, GOVERNOR STATE OF SOUTH CAROLINA**
  - The Honorable Governor Mark Sanford
  - Office of the Governor
  - P.O. Box 12267

- **Columbia, SC 29211**
- **CARI M. DOMINGUEZ, CHAIR EQUAL EMPLOYMENT OPPORTUNITIES COMMISSION**
  - **U.S. Equal Employment Opportunity Commission**
  - **Office of the Chair**
  - **1801 L Street, N.W.**
  - **Washington, D.C. 20507**
- **MICHAEL POWELL, CHAIR FEDERAL COMMUNICATIONS COMMISSION**
  - **Federal Communications Commission**
  - **Office of the Chairman**
  - **445 12th Street SW**
  - **Washington, DC 20554**
- **GLENN A. FINE, INSPECTOR GENERAL, UNITED STATES DEPARTMENT OF JUSTICE**
  - **U. S. Department of Justice**
  - **Office of the Inspector General**
  - **950 Pennsylvania Avenue, NW, Suite 4322**
  - **Washington, DC 20530-0001**
- **ROY COOPER, ATTORNEY GENERAL OF THE STATE OF NORTH CAROLINA**
  - **NC Office of the Attorney General**
  - **North Carolina Department of Justice**
  - **P.O. Box 629**
  - **Raleigh, NC 27602-0629**
-

**THIS INFORMATION, FILED AS A COMPLAINT TO INSTIGATE INVESTIGATION AND PROSECUTION INVOLVES THE FOLLOWING DEFENDANTS: V.**

- **BILLY C. SANDERS**
- **JOSEPH DARBY**
- **PATRICIA THOMPSON**
- **DWIGHT JAMES**
- **LYNN MARTIN**
- ***BILL ALLEN***
- **SC-NAACP**
- **EEOC**
- **FCC**
- **LM COMMUNICATIONS INC.**
- **LM COMMUNICATIONS SOUTH CAROLINA INC.**
- **LM COMMUNICATIONS SOUTH CAROLINA II INC.**
- **GESS MATTINGLY AND ATCHISON**
- **Richard Perry, Office of Senator Lindsey Graham**
- **Jean Price, Office of Senator Lindsey Graham**
- **John or Jane Doe E.E.O.C.**
- **John or Jane Doe F.C.C.**

**VIOLATIONS:**

- U.S. TITLE 18 PART I CHAPTER 63 Sec. 1343
  - (Fraud by wire, radio, or television)
- U.S. TITLE 18 PART I CHAPTER 1 Sec. 1. Sec. 2.
  - (Aiding and Abetting)
- U.S. TITLE 18 PART I CHAPTER 19 Sec. 371
  - (Conspiracy to commit offense or to defraud United States)
- U.S. TITLE 18 PART I CHAPTER 13 Sec. 241
  - (Conspiracy against rights)
- U.S. TITLE 18 PART I CHAPTER 13 Sec. 242
  - (Deprivation of rights under color of law }
- U.S. TITLE 18 PART I CHAPTER 13 Sec. 245
  - (Federally protected activities }
- U.S. TITLE 18 PART I CHAPTER 47 Sec. 1017
  - (Government seals wrongfully used and instruments wrongfully sealed)
- U.S. TITLE 18 PART I CHAPTER 47 Sec. 1001.
  - (False Statements - Statements or entries generally)
- U.S. TITLE 18 PART I CHAPTER 73 Sec. 1512.
  - (Tampering with a witness, victim, or an informant)
- U.S. TITLE 18 PART I CHAPTER 73 Sec. 1505.
  - (Obstruction of proceedings before departments, agencies, and committees)
- U.S. TITLE 18 PART I CHAPTER 95 Sec. 1957.
  - (Engaging in monetary transactions in property derived from specified unlawful activity)
- U.S. TITLE 18 PART I CHAPTER 101 Sec. 2071.
  - (Concealment, removal, or mutilation generally of RECORDS AND REPORTS)
- U.S. Title VII of the Civil Rights Act of 1964 (Title VII),
  - ENFORCEMENT PROVISIONS SEC. 2000e-5. [Section 706]
  - (b),(e) (1)
- S.C.: Title 16 CHAPTER 5. Sec. 16-5-10
  - (Conspiracy against civil rights.)
- S.C.: Title 16 CHAPTER 5. Sec. 16-5-20
  - (Punishment for commission of additional crimes.)
- U.S. TITLE 18 PART I CHAPTER 41 Sec. 872
  - (Extortion by officers or employees of the United States)
- U.S. TITLE 18 PART I CHAPTER 41 Sec. 875
  - (Interstate communications)
- U.S. TITLE 18 PART I CHAPTER 1 Section 3
  - (Accessory after the fact)
- N.C. ARTICLE 60 - Computer-Related Crime. [RTF] § 14-457.
  - (Extortion)
- N.C. ARTICLE 30 - Obstructing Justice. [RTF] § 14-221.2.
  - (Altering court documents or entering unauthorized judgments)
- N.C. ARTICLE 20 - Frauds. [RTF] § 14-118.4.
  - (Extortion)

**DEMAND FOR JUSTICE IN INDICTMENTS:**

**The Plaintiff-Victim charges that:**

**Introductory Allegation**

1. At all times material to this Demand For Indictment, defendant BILLY C. SANDERS was a resident of or near Charlotte North Carolina; defendant JOSEPH DARBY was a resident of or near Charleston South Carolina; defendant PATRICIA THOMPSON was a resident of or near North Charleston South Carolina; defendant DWIGHT JAMES was a resident of or near Columbia South Carolina; defendant LYNN MARTIN was a resident of or near Lexington Kentucky; defendant BILL ALLEN was a resident of or near Lexington Kentucky.

2. At all times material to this Demand For Indictment, defendant BILLY C. SANDERS held the position of Program Manager of the Equal Employment Opportunities Commission in the Charlotte, North Carolina District Office; defendant JOSEPH DARBY held an executive position (Vice President) of the South Carolina Chapter of the National Association for the Advancement of Colored People (SCNAACP); defendant DWIGHT JAMES held an executive position (Vice President) of the South Carolina Chapter of the National Association for the Advancement of Colored People (SCNAACP); defendant PATRICIA THOMPSON's employment and affiliation was unknown; defendant LYNN MARTIN owned L.M. Communications Inc of Lexington Kentucky, L.M. Communications Inc., of South Carolina and L.M. Communications II Inc., of South Carolina; defendant BILL ALLEN was an attorney with the firm of Gess Mattingly & Atchison in Lexington Kentucky.

3. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 63 Sec. 1343, specifically prohibited "having devised or intending to devise any scheme or artifice to defraud" by "means of wire, radio, or television communication in interstate or foreign commerce", the transmission of email correspondence having sufficed for electronic transmission of communication over wire.

4. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 1 Sec. 1. & Sec. 2. part (a) defined "Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal." and (b) "Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal" were in force.

5. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 19 Sec. 371 prohibited "two or more persons [to] conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy".

6. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 13 Sec. 241 prohibited "two or more persons [to] conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the

Constitution or laws of the United States, or because of his having so exercised the same".

7. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 13 Sec. 242 prohibited anyone who "under color of any law, statute, ordinance, regulation, or custom, [to] willfully subject(s) any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race."

8. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 13 Sec. 245 prohibited any person "(b) whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with", "(1) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from", "(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States;"

9. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 47 Sec. 1017 prohibited "fraudulently or wrongfully affix(es)(ing) or impress(es)(ing) the seal of any department or agency of the United States, to or upon any certificate, instrument, commission, document, or paper or with knowledge of its fraudulent character."

10. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 47 Sec. 1001 prohibited "whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully," "(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;", "(2) makes any materially false, fictitious, or fraudulent statement or representation;", "(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;"

11. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 73 Sec. 1512 prohibited the "(A) prevent(ion) [of] the attendance or testimony of any person in an official proceeding;", or the "(B) prevent (ion) [of] the production of a record, document, or other object, in an official proceeding;", likewise: "(b) Whoever knowingly uses intimidation or physical force, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to;", "(1) influence, delay, or prevent the testimony of any person in an official proceeding;", "(2) cause or induce any person to -;", "(A) withhold testimony, or withhold a record, document, or other object, from an official proceeding;", "(B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding;", "(C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or,", "(D) be absent from an official proceeding to which such person has been summoned by legal process;"

12. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 73 Sec. 1505 prohibited "Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States,".

13. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 95 Sec. 1957 prohibited anyone "knowingly engag(es)(ing) or attempt(s)(ing) to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity,".

14. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 101 Sec. 2071 prohibited "willfully and unlawfully conceal(s)(ing), remove(s)(ing), mutilate(s)(ing), obliterate(s)(ing), or destroy(s)(ing), or attempt(s)(ing) to do so, or, with intent to do so take(s)(ing) and carrie(s)(ing) away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States."

15. At all times material to this Demand For Indictment Title VII of the Civil Rights Act of 1964 (Title VII), SEC. 2000e-5. [Section 706] required "The Commission shall make its determination on reasonable cause as promptly as possible and, so far as practicable, not later than one hundred and twenty days from the filing of the charge."

16. At all times material to this Demand For Indictment South Carolina: Title 16 CHAPTER 5. Sec. 16-5-10 prohibited "two or more persons to band or conspire together", "to hinder, prevent, or obstruct a citizen in the free exercise and enjoyment of any right or privilege secured to him by the Constitution and laws of the United States or by the Constitution and laws of this State". Sec. 16-5-20 inclusive.

17. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 41 Sec. 872 prohibited "an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion."

18. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 41 Sec. 875 prohibited "intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another."

19. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 1 Sec. 3 required "Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or



assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact."

20. At all times material to this Demand For Indictment North Carolina Article 60 - Computer-Related Crime. [RTF] § 14-457. (Extortion) prohibited anyone "who verbally or by a written or printed communication, maliciously threatens to commit an act described in G.S. 14-455 with the intent to extort money or any pecuniary advantage, or with the intent to compel any person to do or refrain from doing any act against his will."

21. At all times material to this Demand For Indictment North Carolina Article 30 - Obstructing Justice. [RTF] § 14-221.2. Altering court documents or entering unauthorized judgments prohibited "Any person who without lawful authority intentionally enters a judgment upon or materially alters or changes any criminal or civil process, criminal or civil pleading, or other official case record."

22. At all times material to this Demand For Indictment North Carolina Article 20 - Frauds. [RTF] § 14-118.4. (Extortion) prohibited "Any person who threatens or communicates a threat or threats to another with the intention thereby wrongfully to obtain anything of value or any acquittance, advantage, or immunity."

### ***The Conspiracy***

1. On or about July 26, 2002 Patricia Thompson met in person with The Reverend Joseph Darby of the SC NAACP. Joseph Darby wrote a confirming email to Thompson on July 28, 2002 regarding that meeting in Charleston.
2. On 28, July 2002 Joseph Darby, in that email message advised Thompson he was handing her case to Dwight James of the SC NAACP in Columbia. Email from Darby "All direct action has to be approved by our State Executive Board, so I'm forwarding this to Executive Director Dwight James in Columbia. You can expect to hear from him, and can reach him at 803-754-4584."
3. On 30, July 2002 Thompson in email "Reverend Darby and I have exchanged a few emails ... he is considering a different approach ... I'll tell you about it later ... more on the lines of ensuring that unsuspecting African-Americans don't go there for employment ... that kind of an angle ... But, I did mean to email you earlier this morning ... I want to go ahead and get my inquiry to the EEO ready to take with me when I go to Columbia this weekend and drop it off at their location on Sunday before I leave and I need some information."
4. On 1, August 2002 Thomson in email "I also heard from Joe Darby, and he's invited me to attend the next NAACP meeting, fourth Thursday in August, perhaps you should consider coming along with me. And, since Reverend Darby is from the Columbia area, originally, I believe, I know he is not from Charleston, as he moved here from Columbia about 4 years ago ... I'll reach out to him regarding "attorneys" I'm sure he has to know of a few ... at least one."
5. Thompson's complaint document written to the EEOC, dated 1, August 2002 was delivered by her on 4,

August 2002 to Dwight James in Columbia; (she referred to that meeting as being at the EEOC Columbia office: there is no EEOC Columbia office).

6. That document was to be 'approved' by Joseph Darby (per Thompson email) before sending it to the EEOC.
7. On 2, August 2002 Thompson in email "I have been out and plan to deal with your stuff before the end of month. So, if I can make all that happen this evening, I'll be able to stay at home and work through the night and Saturday to have this package ready to go to Washington, DC and after Rev Darby takes a look at it ... Trying to make all this happen by Monday, so I need to get busy with my "paid" work and get it done and out of the way so I can concentrate fully on the "gonna get paid" work..."
8. Mailed by Plaintiff on or about 10, August 2002 was a full complaint to the Federal Communications Commission, and a full complaint to the Federal Bureau of Investigation. FCC did not confirm previous email transmissions of the document prior to 10, August 2002 with repeated requests in follow-up met with different addresses to send it to.
9. A copy of the FCC complaint was requested by Thompson and provided to her where on or about 20, August 2002 Thompson requested "And, just in case ... send me some kind of access to FCC stuff ... so, just in case something happens, not trying to be negative ... but just in case ... I can still help see our cause through".
10. As of 12, August 2002 Thompson was known to be having telephone conversations with Billy C. Sanders.
11. On or about 13, August 2002 Thompson was asked who Billy C. Sanders was to which Thompson responded in email, "He is the contact Reverand Darby told me to call at the Charlotte EEOC Regional office ... remember ...???". The South Carolina local office of EEOC was not where EEOC and NAACP wanted her case to be handled.
12. Billy C. Sanders (EEOC Program Manager at the Charlotte Regional Office of EEOC) received Thompson's complaint document from James. Sanders prepared the EEOC Form 5 for Thompson and sent it to her for signature. When received by Thompson the document was undated. She signed and dated it 21, August 2002.
13. That document contains the sentence: "In fact a white manager tried to hire me to a full time job and they refused and forced him out."
14. On or about 27, August 2002 plaintiff had provided Thompson with a copy of the Complaint letter for EEOC for Plaintiff to which she responded with changes and correction advice. Plaintiff had read Thompson's complaint letter and commented with changes and correction advice earlier. Regarding Plaintiff's complaint letter she had replied in email "...after reading your letter ... they'll be filing your complaint as well."
15. Plaintiff's EEOC Charge number: 140A201867 was mailed Thursday 29, August 2002 directly to the Charlotte regional office of EEOC personally addressed to Billy C. Sanders as Thompson had instructed plaintiff that Billy C. Sanders of EEOC wanted the case himself.
16. At all times material to this Demand For Indictments contact from Sanders to Plaintiff was sent through

Thompson except when Plaintiff addressed Sanders in email and immediately following the request for information placed with the EEOC by Senator Lindsey Graham.

17. Plaintiff's FORM 5 was stamped as received by EEOC Charlotte on 2, September 2002. It was addressed personally to Billy C. Sanders at his request, per Thompson.
18. EEOC Charge number: 140A201867 was taken by Program Manager Billy C. Sanders (who's position does not include investigations) and not assigned to an investigator.
19. On 15, August 2002 Billy C. Sanders met with Thompson in a private meeting in Charleston. Per email: "I need to leave in a few ... by 5:30 to meet Mr. Sanders. He just called and let me know he had arrived".
20. Plaintiff never received a meeting with Sanders until Senator Graham requested EEOC's response to his inquiry.
21. On 16, August 2002 Thompson in email "I'll talk with you about everything later ... It went very well ... and I have some info for you that I need to bring by the garage ... ;o)". The 'info' was the business card of Billy C. Sanders. By mistake Thompson left the wrong card. It contains Sanders personal home phone number and his personal AT&T email address on the back.
22. On 20, August 2002 Thompson advised Plaintiff that Sanders had informed her that 'stuff' was in the mail. This is a reference to her FORM 5 prepared by Sanders for her based on personal meetings and her complaint document.
23. During the week of 20, August 2002, following receipt of the business card Plaintiff called Sanders at EEOC Charlotte to enquire about filing Plaintiff's complaint. Sanders refused to talk during that call and ended the call quickly.
24. On 28, August 2002 Plaintiff wrote Sanders and provided a copy of the FORM 5 details to be filed with EEOC. "I have the initial intake form as you provided it to Patricia Thompson for my use and I will be submitting it to you in the mail transmittal". The document was mailed 29, August 2002.
25. On 3, September 2002 Sanders wrote email to Plaintiff confirming receipt of the 28, August 2002 email transmission of the content of the FORM 5 and said "I hope you are sending me copies of this information because my intake staff can not deal with it in this form." In response Plaintiff said, "Yes sir. All documents and the complaints transmitted via priority mail in a box. You should have them delivered to you today."
26. EEOC stamped document imprint placed receipt of the FORM 5 as 4, September 2002. Shows: EEOC stamped the document as received on the 4th of September, when email from Thompson dated the 4th of September 2002 shows it was received on the 3rd. This indicates a fraud in placing the official stamp on the document as it was not sent to the Plaintiff for months and only after numerous demands for its receipt. Plaintiff's case was also recorded as being submitted to the South Carolina Human Affairs Commission but has not been received by that agency. Thompson's FORM5 was not shown as being submitted to any other agency.
27. On 4, September 2002 Thompson wrote Sanders in email after receiving a phone call at home in the evening from Lynn Martin. She refers to him as 'Billy' and expresses her concern for her own safety "Please

give me some guidance ... As soon as possible ... I need to be able to think and right now ... I can't think about anything else ... I know what these people did to Lee ... my God Billy, what's going to happen to me next?..." So, if I all of a sudden end up injured or dead ... this is becoming scary ... do please don't think I'm being playfully jokey right now, because I'm not ... Please do not let this go ... Please do not let this go, if something does happen to me."

28. Thompson on 4, September 2002 received a call from Sanders at her job at Millie Lewis Modeling Agency, "I'm fine ... just a bit nervous earlier until Billy called me and I have settle down a lot now ... He is has a great calming you down effect ... he can say that sentence that makes it all go away ..."
29. On or about 9, September 2002 LM Communications received the letter from EEOC about Plaintiff's charges. In a phone conversation related in email with Denise Mosely (receptionist at LM Communications) Thompson said "Spoke with Denise this morning ... She said "they" received another letter yesterday. I told her it was yours. She said, "Are you kidding me?" I told her it's real. She said, "Thank you so much, thank the both of you so much!" Contact her so she can tell you herself ... she overheard Conehead talking to someone via phone ... and something to the nature ... he's not worried about it and just not wanting to deal with it ... and something about mine -vs- yours, one being more complicated than the other ... I apologize, I can't remember, there was alot of background noise and then Conehead walked in to the office there and she had to go ... so it was real quick quick ... but, let her tell you!"
30. On 17 September 2002, in email Plaintiff requested the confirmation of the filed FORM 5. "Will I be receiving a confirmation letter and case number from your office regarding the complaint I recently filed? I understand it has been sent to the radio station (WCOO) but as of yet I have not received confirmation that it has been processed nor of what the progress is."
31. Plaintiff's FORM 5 and complaint letter was transmitted 'officially' through US Mail to the Charlotte Regional Office personally addressed to Billy C. Sanders. On 18, September 2002 Thompson responded to a request from Plaintiff, "To answer your question ... I believe it took about 10 days or so to receive mine in the mail ... maybe a bit longer ... can't remember ... but I'll look at the paperwork when I get a chance ... I think it was about 10 days though ... Give them a call and let them know you hadn't received anything regarding your complaint ... that they'd received it or anything ... Now, ;o) ;o) ;o) you know it's gonna take someone about a month to ready it all ... right??? ;o) Just teasing ... but yours was a lot longer than mine ... and we both know it was received "unofficially" ..."
32. On 30 September after another inquiry where the confirmation was Thompson replied, "I haven't heard anything from anyone. Perhaps, you should make an inquiry to the EEOC and check the status of your complaint. That's all I can suggest. I'm kind of letting it take its course. He assured me that he has everything, will be investigating, has requested both our cases to be assigned to him, that he would come here to take care of what needs to be taken care of and I believe that he will." ... "He has to remain, also, in a neutral position, regardless of what he may really think or feel and I'm sure maintain a high level of diplomacy in order to work effectively for all of us concerned. I've decided to let him drive the ship. I feel that what he's told me and that I've shared with you is valid and when the time comes to put all the ele-

ments together, it will happen. I'm sure he cannot, suddenly, appear to devote all of his attention to these particular complaints, or treat it any differently than any other cases he has to investigate, all variables being equal in the process. Even though we had an inside link, and I'm grateful we did, who knows how long this process would take otherwise?"

33. The only 'inside link' was for Thompson . As of one month following transmittal of Priority Mail Plaintiff's case was already being ignored.
34. On 4 October 2002 FCC responded in email "I can not find information on this complaint on our database." Additional mailing addresses were provided to which copies were sent.
35. On 8 October 2002 FCC responded again in email "I am sorry but I thought your complaint was pertaining to wireline/wireless service." No such reference was ever made.
36. On 16 October 2002 email was sent by Plaintiff to Sanders "This email is an update query rather than pick on you at your phone number. Can you tell me what the status of my case is? Has LM Communications responded to my complaint? Is there anything I should be doing to help you in your tasks?"
37. The FORM 5 was received dated sent 17 October 2002 without additional information. Its official seal stamp was predated to a date before it was received in hard copy.
38. On 9 December 2002 email was sent to Sanders "I am writing in request for an update and status report on my case #140A201867 filed with your office on August 29, 2002. I have not had a progress report or received an update as to the condition of the complaint, its position in investigation or any other response since having received the assigned reference number dated October 17, 2002. I have tried to call your office but the phone number is a recording."
39. On 5 January 2003 Thompson wrote email to Plaintiff "Still no word from Mr. Sanders. I'll try to reach him at his office tomorrow!"
40. The first contact from Sanders occurred 6 February 2003 after Plaintiff requested "Just to let you know that I have not received my W-2 form from L.M. Communications yet. It is my understanding the law states they have to be postmarked by January 31st. I am going to need to contact L.M. or have contact made for me to get my W-2 sent to me unless it is received soon with that postmark. Should I contact the IRS in this?"
41. Sanders' response 6, February 2003 was "I can't help with you with the W-2 situation and it is beginning to appear that we don't have jurisdiction over L M Communication. My legal dept is looking at their info now and will advise me and I will let you all know."
42. This first contact from Sanders regarding the FORM 5 case occurred (from the date possible for Sanders to have received the FORM 5 to 6 February 2003) 155 days after filing.
43. Plaintiff immediately researched the law and EEOC rules and submitted the results to Sanders 6 February 2003. "Thank you for your reply. I have performed the work necessary for your legal department to make the correct non-intimidated judgment. It comes from EEOC Notice 915.002 dated 5/2/1997 and clearly defines the employees within the defendant's employ and or management as qualifying under legal precedence."

44. Sanders responded with this email on 6, February 2003 "I appreciate what you are saying but don't tell us how to investigate and every thing you see ain't always how it is. We will make the decision on our part and if you want to take this to court all you have to do is send me a letter requesting your Right to Sue because even if we have jurisdiction it is not a case we will be taking to court so if you want to go to court just request your right to sue."
45. Plaintiff's immediate response was "Please excuse me for asking a direct question sir but if all this work has been put forth on a case you have no intention of prosecuting then what is the point of the investigation? I expected that might be the case since I am sure your case load is quite heavy and I expected to pursue the case legally with an attorney when it either reached the point where it was unable to be negotiated (if that ever happened) but under no circumstances was I under the impression that legal information from the defendant was a bad thing... If you are not going to pursue this case at all why did you take it on? Why did you tell Ms. Thompson you would be handling this case personally? Was it because you had to? I was under the impression that you were acting in the best interest of the defendant but your attitude tells me you are acting in your own best interest. HOW DARE YOU , a civil servant tell a defendant not to provide LEGAL information you either can't come up with on your own or do not have the ability to come up with on your own. I have no intention to act like a jerk here. My intention is to fulfill what the case was filed for. My argument is not with you. Here it is, the FIRST correspondence I receive from you in MONTHS about this case and you dare to yell at me for telling you the job is not as hard as your legal team thought it was? I don't understand your attack sir. I have seen nothing sir. So what I see is only what you have just told me. The only contact we have had on this case has been through your friend Trish Thompson also a defendant in another case. Are you dropping her's too? I will not ask for my right to sue, not yet. I will not stoop to attacking you. The case will proceed under EEOC requirements and then be back involved when it goes to real court. Mr. Darby understandably did not expect lip service. My case is thorough and already made for you. I just made the case for you regarding jurisdiction. And I get yelled at for helping my own case? Who is your supervisor?"
46. Sanders responded "I am not dropping your case nor do I plan on debating legal issues with you. When I have all the information in we will make a decision on whether we have jurisdiction and if we do have jurisdiction we will make a decision on whether or not you have been discriminated against as you allege."
47. The next contact was 14, March 2003 (191 days since filing) "I just got off the phone with the Radio station attorney and let him know that we have jurisdiction so I am scheduling a Fact Finding Conference for April 24/25. He has to check with him people and see if they are available for those dates."
48. On 18, March 2003 Sanders "I will be conducting a fact finding conference in Charleston, SC on April 25 and will get back with you for the site location and address. Who do you want to attend the conference from the company i. e. can share facts about your case?" ... "The people I am talking about are employed with the company. For example who did you complaining to, their names and positions, you will need for me to request their appearance at the conference or Co Pres; Co Vice Presd, Managers and per-

sons harassing you.” ...

49. On 21 April Sanders wrote “Lee the Fact Finding Conference scheduled for 4/24 and 4/25 has been postponed because I have to be in Washington on Wednesday. I will reschedule it when I return next week and will give you the date, time and location. I am sorry about this because I want to move on these cases right away before I get tied up with something else so bare with me. Thanks, and if you have question let me know.”
50. When asked in reply “I am presuming that I am not supposed to be at your meeting.” Sanders responded “Yes you will need to be in attendance at the Fact Finding Conference and I will get with you before the conference. Remember I am neutral so you will be presenting your case before me at this conference. When I get back in town next week I will explain the process so get your evidence in order because you will be presenting it before me and them.”
51. Following or about 21, April 2003 Patricia Thompson did not respond to any email or telephone contacts. Her contact prior to that date had been cut back dramatically from February 2003.
52. On 12, May 2003 Plaintiff wrote Sanders “I was wondering if I missed a notice of a fact finding meeting or if it hasn't happened yet.”
53. On 13, May 2003 Sanders responded “You have not missed it yet. I will be notifying you shortly about the date, time and place so hang in there.”
54. On 29, May 2003 Plaintiff wrote Sanders “I have all of the materials in order but I don't know the format in which I'll present it. So when the time comes please let me know with enough time to get it together... so to speak.”
55. On 29, May 2003 Sanders responded “I sure will. I have read thru all your materials and am waiting on the company attorney to get back with me for a date. Have you thought about how you want this settled or do you plan on taking it on to court??” ... “I will be back in touch with you.”
56. On 1, June 2003 Plaintiff wrote Sanders “Are we still faced with a pattern of a stalling and evasive attorney?” 270 days since filing.
57. On 8, June 2003 Sanders responded “I have been out and plan to deal with your stuff before the end of month.”
58. On 1, August 2003 Plaintiff wrote Sanders “Where do we stand?”
59. On 4, August 2003 Plaintiff called Senator Graham's office in Mount Pleasant, spoke with Jean Price, wrote and mailed Senator Lindsey Graham requesting intervention to receive due process and to exercise Plaintiff's rights before the EEOC. 334 days since filing.
60. On 5, August 2003 Senator Graham's Mount Pleasant office received the request.
61. On 6, August 2003 Jean Price informed Plaintiff Greenville Directorate was contacted.
62. On 7, August 2003 Senator Graham writes letter of instigated inquiry with the Director of the Greenville SC EEOC local office.
63. On 7, August 2003 Sanders called Plaintiff at home and left a message on the cell phone about a fact-finding meeting late Thursday.

64. On 8, August 2003 Plaintiff returned the phone call and left a message about receiving Sanders phone call and once again gave Sanders the home phone number.
65. On 11, August 2003 at 9PM Sanders called the home phone number from his private home number stating he would be in Charleston the next day for a 'conference' meeting and wanted to meet and start Plaintiff's case.
66. On 12, August 2003 Plaintiff called Senator Graham's office to inform the Senator a meeting was set up by Sanders.
67. On 13, August 2003 Plaintiff meets with Sanders at Embassy Suites Hotel Charleston in the lobby. Sanders greets Plaintiff in lobby with unexpected and unwarranted 'jump' into a 'bear-hug' after shaking hands. That assault was abhorrent and intimidating. Meeting was placed in reference by repeated cell phone calls to Sanders' cell phone prior to taking place closer to the Embassy Suites with each call and closer apart in duration, as well as asking for Sanders from a person in the lobby who said he 'knew' Sanders and calling the front desk for directions to the hotel. During the calling Sanders also called the home number again. Sanders advises Thompson has settled her case with payouts over time and she is happy with it. Sanders also mentions the NAACP and gives a story of how the 'NAACP went down'.
68. On 14, August 2003 Sanders called Plaintiff hurriedly to get a letter from Patricia Thompson about her knowledge of the wrong doings to Plaintiff in the EEOC case Plaintiff had filed 344 days prior, even though many statements as to Thompson's knowledge of the case were on file with the EEOC.
69. On 15, August 2003 through 20, August 2003 no response from Thompson or Sanders.
70. On 20, August 2003 Plaintiff sent email to Sanders "FYI no response contact from Ms. Thompson. But that's ok. Pretty much all of her complaint was filed in my complaint as supporting documentation. They may have settled her complaint but that does not lock up the documents in my complaint. After all, if that was the case, she referred to many of my documents in hers. There is no judge in this land who would prohibit my case just because it was referenced in her case. And anyway, the federal judges here declared in 2001 that cases settled in private that involved current cases will be opened upon request. It was an interesting article where all 10 federal judges in South Carolina stated their intention to open any closed file needed to be made public for another case. Hope all is well with you."
71. On 20, August 2003 Sanders responds "Does not work that way. In fact, the documents in her file don't mention you in a positive way because she feels you were part of her problem and did not go to bat for her for a full time job so you will need a statement from her to support some of your case. RE: Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info. But we will cross them bridges when we get to them. I am waiting to hear from their attorney re the Fact Finding Conference. I will be leaving the office shortly and will not be back until next Wednesday so if you need me you can call me on my cell @ (704) 564-9464. C U Later"
72. On 21, August 2003 Plaintiff called Senator Graham's Mount Pleasant office and advised Jean Price that a 131 page document has been prepared detailing the response the EEOC had provided to the Senator's in-



quiry. Letter is sent return receipt to both Mount Pleasant and to the Chief of Staff at the Senator's Washington address.

73. On 22, August 2003 Senator Graham's Mount Pleasant office received the letter detailing the illegal acts of the EEOC and Billy C. Sanders and the connection to the NAACP of South Carolina.
74. On 27, August 2003 Senator Graham's Washington D.C. office in care of Richard Perry receives the same document.
75. On 22, September 2003 after no response from Senator Graham Plaintiff called the Mount Pleasant office of the Senator. According to Jean Price they were not sure what they could do.
76. On 23, September 2003 Plaintiff called Jean Price and gave her the URL and username and password for the rest of the documentary evidence in the case. No person has ever accessed that information from the Senator's office.
77. On 29, August 2003 Plaintiff called the Senator's Mount Pleasant office and was informed a second request had been placed with EEOC for a response as to the status of the case. A response had been forthcoming from Sanders, a member of management of EEOC yet the Senator's office was not reflecting that fact by requesting yet another inquiry.
78. On October 29 2003 Senator Graham wrote plaintiff informing, "Today the officials of the Equal Employment Opportunities Commission have notified me that additional contacts and information have been received from my office about your claim, and the case is pending investigation."
79. Plaintiff was required to call Jean Price on a weekly or bi-weekly basis to receive any updates on the case requested for intervention.
80. The second letter sent to Senator Graham was in response to the official response received from the EEOC and stated the following:
81. "I demand an FBI criminal investigation into the actions of Mr. Billy C. Sanders of the EEOC, Charlotte office, listed as "Program Manager" on the business card he presented to me at the hotel lobby meeting and the connections between the EEOC and the NAACP." ...
82. "I demand that the EEOC be compelled to investigate and prosecute my filing with them in a timely manner, as it has already been ONE YEAR since my case was filed, causing a severe hardship on us, with undue hardship placed on our entire family by fraudulent actions and direct discrimination by the federal government represented by a member of management of the EEOC." ...
83. "I demand an FBI criminal investigation into the 'backdoor' from the NAACP into the EEOC with appropriate prosecution and an investigation into the connection between the NAACP, its executive officers and Mr. Sanders." ...
84. "I demand an FBI criminal investigation into the actions of Mr.'s Charles Cohn, Lynn Martin, William Allen, Bruce Musso and the others involved in the EEOC case I am now forced to partially make public by these actions, which places that case in a serious potential of being rejected by the EEOC for not having remaining confidential. The guidelines of the EEOC provide the ability for me to contact and inform an attorney of the case. You, Honorable sir, are an attorney."

85. "I further demand an FBI investigation into the potential of a settlement in the Patricia Thompson case before the EEOC." ...
86. "I also demand the involvement of the United States Attorney General's Office in both investigating an illegal corruption and scandal within the Equal Employment Opportunity Commission, and the establishment of a grand jury to seek indictment against those who have blatantly violated federal law and my rights as a citizen of The United States of America." ...
87. "This entire case is a fraud of Federal Law and my speaking out against such fraud may place me under the protection of the Qui Tam False Claims Act."
88. "I also request federal assurance of our protection from physical harm during this process."
89. After nearly four months of seeking justice through Senator Graham's office Jean Price forwarded the entire 131 page complaint document sent to Senator Graham (containing the above quotes) to the EEOC. That document contains information about illegal activity with copies of emails, documents and references to personal contact information of witnesses. That document was sent to EEOC long after Senator Graham advised Plaintiff in writing that an investigation was pending by EEOC.
90. Receipt of that document prompted EEOC to write a letter to Senator Graham (as of this date Plaintiff has only heard the contents of that letter read to him by Jean Price over the phone and has not received a copy of that letter even though it was promised over a week ago and as of 7, January 2004 had not been sent.) wherein they once again state a pending investigation and did not detail the contacts allegedly made by the Senator's office on behalf of the Plaintiff.
91. It has (as of the date of this writing) been a total of 492 days since filing the EEOC Form 5.
92. Patricia Thompson has settled her case with LM Communications and according to Sanders placed altered and fictitious documents in her file.
93. LM Communications has settled the smaller of two cases filed against it with full knowledge that Plaintiff's case was being sacrificed to make Thompson's case settlement possible.
95. EEOC's response letter most recently received by Senator Graham continues the cover-up of known offenses as they had received the 131-page document detailing such offenses and did not refer to the illegal acts in their letter read to Plaintiff by Jean Price.

### **Manner and Means of the Conspiracy**

1. By altering documents received by the EEOC in a valid filed case from Patricia Thompson, Billy C. Sanders and the EEOC and LM Communications and LM Communication's attorney and his firm were able to get rid of Plaintiff's case in order to receive a favorable settlement for Patricia Thompson from LM Communications at the instigation and direction of the SC NAACP.
2. It was the purpose and intent of SC NAACP, through Billy C. Sanders to deprive Plaintiff of Constitutional Rights to due process, Rights afforded under Title VII of the Equal Employment Opportunities Act

of 1964 as amended and in violation of the following laws to destroy, coerce and intimidate Plaintiff into either accepting a right to sue letter or finding any excuse possible to rule Plaintiff's case was not worthy of further investigation.

3. There has been no investigation into the filed FORM 5 case of Plaintiff and every effort has been made to destroy said case by EEOC.
4. LM Communications is a Kentucky corporation making payment of money from LM Communications to Patricia Thompson for settlement a violation of interstate commerce fraud. No monetary decisions for SC corporations owned by Kentucky LM Communications are possible without the home office approval and payment regardless of what bank the payments are drawn from.
5. Charges filed with the FCC and with the FBI (which refused to investigate claiming there was no reason to investigate as the crime was no longer threatening after Plaintiff was fired) are suspect. If seven violations of Federal Law and FCC rules was pending against LM Communications a settlement for Patricia Thompson, by getting rid of Plaintiff's case would not have been worthy of LM Communications. It is believed the FCC is infiltrated and the documents (in their many submissions) were stopped from being entered in support of the conspiracy at the direction of the SC NAACP.
6. During the week of 29, December 2003 after hearing the letter from EEOC from Jean Price Plaintiff insisted the case be handed over to the Justice Department. On 7 January 2004 Jean Price never referred to the Justice Department but did refer to the Chief of Staff being very busy.
7. No further contact will be made to Jean Price of Senator Graham's office, as anyone who would send criminal evidence to the criminal is not trustworthy.

### **OVERT ACTS**

In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the State of South Carolina, State of North Carolina, State of Kentucky and elsewhere:

### **COUNT ONE**

Billy C. Sanders at the direction of SC NAACP (Joseph Darby, Dwight James) devised a scheme to defraud by means of false or fraudulent pretenses, representations, or promises and caused to be transmitted by means of wire (email) communication in interstate commerce, writings for the purpose of executing such scheme.

in violation of (Fraud by wire, radio, or television) U.S. TITLE 18 PART I CHAPTER 63 Sec. 1343

### **COUNT TWO**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson and others willfully caused an act to be done which if directly performed by them or another would be an offense against the United States, to wit: defrauding the justice system through illegal manipulation of documents and cases before the Equal Employment Opportunities Commission resulting in a settlement agreement made under false pretense.

in violation of (Aiding and Abetting) U.S. TITLE 18 PART I CHAPTER 1 Sec. 1. Sec. 2.

### **COUNT THREE**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson, being two or more persons, conspired either to commit any offense against the United States, or to defraud the United States, or any agency thereof, to wit: The Equal Employment Opportunities Commission, where one or more of such persons did consummate an act to effect the object of the conspiracy, to wit: back dating of the confirmation charge number of the FORM 5 with EEOC, and, tampering with evidence used in the settlement of a charge before EEOC.

in violation of (Conspiracy to commit offense or to defraud United States) U.S. TITLE 18 PART I CHAPTER 19 Sec. 371

### **COUNT FOUR**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson, being two or more persons, conspired to injure, oppress, threaten, or intimidate Plaintiff and Plaintiff's rights before the EEOC, as the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.

in violation of (Conspiracy against rights) U.S. TITLE 18 PART I CHAPTER 13 Sec. 241

### **COUNT FIVE**

Billy C. Sanders under color of any law, statute, ordinance, regulation, or custom, to wit: authority as Program Manager of the EEOC, willfully subjected Plaintiff to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

in violation of (Deprivation of rights under color of law) U.S. TITLE 18 PART I CHAPTER 13 Sec. 242

### **COUNT SIX**

Billy C. Sanders, acting under color of law, by force willfully intimidated and interfered with Plaintiff in order to intimidate participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States, to wit: a supposed fact-finding meeting in a public hotel lobby and did because of his race, color, religion or national origin willfully intimidate and interfere with Plaintiff's enjoying the facilities of a hotel, to wit: the public meeting area of the lobby, by, to wit: forcefully attacking Plaintiff in an unwarranted and intimidating lurch into a "bear hug".

in violation of (Federally protected activities) U.S. TITLE 18 PART I CHAPTER 13 Sec. 245

### **COUNT SEVEN**

Billy C. Sanders did fraudulently and wrongfully affix or impress the seal of the department or agency of the United States to wit: The Equal Employment Opportunities Commission, to or upon any certificate, instrument, commission, document, or paper, to wit: back dating and back numbering FORM 5 submission of Plaintiff, and with knowledge of its fraudulent character.

in violation of (Government seals wrongfully used and instruments wrongfully sealed) U.S. TITLE 18 PART I CHAPTER 47 Sec. 1017

### **COUNT EIGHT**

Billy C. Sanders, willfully while within the jurisdiction of the executive branch of the United States Government did and continues to falsify, conceal, and cover up by any trick, scheme, or device a material fact, to wit: his involvement with the SC NAACP in causing the deprivation of rights from Plaintiff in the case before the EEOC, and has made materially false, fictitious, and fraudulent statements and representations repeatedly in email and in person, to wit: the extensive and complete collection of all email correspondence from Billy C. Sanders using government email servers, did make and use false writing knowing the same to contain materially false, fictitious, and fraudulent statements entry.

in violation of (False Statements - Statements or entries generally) U.S. TITLE 18 PART I CHAPTER 47 Sec. 1001.

### **COUNT NINE**

Billy C. Sanders engaged in misleading conduct toward another person, to wit: Patricia Thompson, wherein the complete email archive of Thompson's correspondence regarding Sanders will show a 'familiar' relationship, with intent to influence, delay, or prevent the testimony of Thompson in an official proceeding before the EEOC and has altered, destroyed, mutilated, or concealed an object with intent to impair the object's integrity or availability for use in an official proceeding, to wit: the original FORM 5 (of which a copy is in the archive), the original complaint letter from Thompson and additional email correspondence material to the case from Thompson.

Jean Price and Richard Perry did hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense, having been advised in writing with ample evidence to support such claims and after having been advised twice to so forward and report such Federal offenses, did for a period of five months withhold such act.

in violation of (Tampering with a witness, victim, or an informant) U.S. TITLE 18 PART I CHAPTER 73 Sec. 1512.

### **COUNT TEN**

Billy C. Sanders did by threatening letter or communication to wit: reference the entire archive of Sanders email and the description of the meeting with Plaintiff at the Embassy Suites Hotel, influence, obstruct, impede or en-

deavor to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, to wit: The Equal Employment Opportunities Commission.

in violation of (Obstruction of proceedings before departments, agencies, and committees) U.S. TITLE 18 PART I CHAPTER 73 Sec. 1505.

### **COUNT ELEVEN**

Patricia Thompson, LM Communications, Lynn Martin, Billy C. Sanders and William Allen did knowingly engage or attempt to engage in a monetary transaction in criminally derived property of a value greater than \$10,000, to wit: a settlement for EEOC charges derived from specified unlawful activity, to wit: fraud and extortion and deprivation of civil rights, which took place in the United States in interstate commerce.

in violation of (Engaging in monetary transactions in property derived from specified unlawful activity) U.S. TITLE 18 PART I CHAPTER 95 Sec. 1957.

### **COUNT TWELVE**

Billy C. Sanders, having the custody of records submitted by both Patricia Thompson and Plaintiff did willfully and unlawfully conceal, remove, mutilate, obliterate, falsify, or destroy the same.

Person or Persons unknown with the Federal Communication Commission having the custody of records submitted by Plaintiff did willfully and unlawfully conceal, remove, mutilate, obliterate, falsify, or destroy the same.

in violation of (Concealment, removal, or mutilation generally of RECORDS AND REPORTS) U.S. TITLE 18 PART I CHAPTER 101 Sec. 2071.

### **COUNT THIRTEEN**

Whenever a charge is filed by or on behalf of a person claiming to be aggrieved, to wit: the Plaintiff, alleging that an employer has engaged in an unlawful employment practice, the Commission shall serve a notice of the charge (including the date, place and circumstances of the alleged unlawful employment practice) on such employer within ten days, and shall make an investigation thereof. To wit: such notification to the employer was made on 9 September 2002, four working days following reasonable receipt of the FORM 5 by EEOC Charlotte and four days following the date of stamped entry, which is one day after Billy C. Sanders would have received it, as it was sent to his personal name at his own request in Priority Mail. The Commission shall make its determination on reasonable cause as promptly as possible and, so far as practicable, not later than one hundred and twenty days from the filing of the charge. It has now been 492 days since filing.

in violation of U.S. Title VII of the Civil Rights Act of 1964 (Title VII), ENFORCEMENT PROVISIONS SEC. 2000e-5. [Section 706] (b),(e) (1))

### **COUNT FOURTEEN**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson, being two or more persons, conspired together to injure and oppress, a citizen because of his political opinion or his expression or exercise of the same or attempt by any means, measures, or acts to hinder, prevent, or obstruct a citizen in the

free exercise and enjoyment of any right or privilege secured to him by the Constitution and laws of the United States or by the Constitution and laws of this State, to wit: rights afforded under Title VII of the Equal Employment Opportunity Act of 1964 as amended and other civil rights including but not limited to due process and equal treatment under the law regardless of race, color or political influence.

in violation of S.C.: (Conspiracy against civil rights.) Title 16 CHAPTER 5. Sec. 16-5-10

### **COUNT FIFTEEN**

Violating any of the provisions of Section 16-5-10 any other crime, misdemeanor or felony shall be committed, the offender or offenders shall, on conviction thereof, be subjected to such punishment for the same as is attached to such crime, misdemeanor and felony by the existing laws of this State.

law of S.C.: (Punishment for commission of additional crimes.) Title 16 CHAPTER 5. Sec, 16-5-20

### **COUNT SIXTEEN**

Billy C. Sanders being an officer, or employee of the United States or any department or agency thereof, to wit: Program Manager of the Equal Employment Opportunities Commission, under color or pretense of office or employment committed or attempted an act of extortion to wit: Illegal use of one's official position or powers to obtain property, funds, or patronage, to wit: favorable treatment for another filed EEOC case.

in violation of (Extortion by officers or employees of the United States) U.S. TITLE 18 PART I CHAPTER 41 Sec. 872

### **COUNT SEVENTEEN**

Billy C. Sanders did threaten to accuse the addressee, to wit: The Plaintiff, of a crime in his email of 20, August 2003 where he said "RE: Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info." Harassment is a crime, which was used with the intent to extort from LM Communications settlement money or other thing of value, which was transmitted in interstate commerce in order to receive a preferred, and higher settlement amount for Patricia Thompson and did in reverse action extort the value of justice, the highest value of all, from Plaintiff in order to kill Plaintiff's EEOC case in favor of reducing LM Communication's legal obligations without due process to Plaintiff.

in violation of (Interstate communications) U.S. TITLE 18 PART I CHAPTER 41 Sec. 875

### **COUNT EIGHTEEN**

The EEOC respondent answering inquiries from Senator Graham knowing that an offense against the United States has been committed, having received an unauthorized copy of the initial criminal activity in the form of a letter to the Senator, received, relieved, comforted or assisted the offender in order to hinder or prevent his apprehension, trial or punishment, and is therefore an accessory after the fact.

in violation of U.S. (Accessory after the fact) TITLE 18 PART I CHAPTER 1 Section 3

### **COUNT NINETEEN**

Billy C. Sanders maliciously threatened to commit an act with the intent to extort pecuniary advantage in tampering with files of a governmental agency and tampering with a witness, which took place in a computer in North

Carolina and in person and in U.S. mail with Patricia Thompson in South Carolina.

in violation of N.C. Article 20 - Frauds. [RTF] § 14-118.4. Extortion.

### **COUNT TWENTY**

Billy C. Sanders without lawful authority intentionally materially altered or changed civil process documents in a settlement with LM Communications, which is an official case record.

in violation of N.C. Article 30 - Obstructing Justice. [RTF] § 14-221.2. Altering court documents or entering unauthorized judgments.

### **COUNT TWENTY ONE**

Billy C. Sanders maliciously threatened to commit an act with the intent to extort pecuniary advantage in tampering with files of a governmental agency and tampering with a witness, which took place in a computer in North Carolina and in person with Patricia Thompson in South Carolina.

in violation of N.C. Article 60 - Computer-Related Crime. [RTF] § 14-457. Extortion.

### **PARTICULARS**

1. Title 29, Volume 4, Sec. 1600.101 Cross-reference to employee ethical conduct standards and financial disclosure regulations. "Employees of the Equal Employment Opportunity Commission (EEOC) are subject to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635, the EEOC regulation at 5 CFR part 7201, which supplements the executive branch-wide standards, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

2. A GRAND JURY IS DEMANDED TO INVESTIGATE THESE CHARGES AND RETURN INDICTMENTS AND THE ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA IS DEMANDED TO PROSECUTE THESE AND OTHER CHARGES THAT MAY BE FORTHCOMING FROM JUST INVESTIGATION INTO CORRUPTION WITHIN THE EEOC AND THE FCC.

3. IT IS HIGHLY RECOMMENDED THAT ALL ATTORNEYS GENERAL TAKE A LONG AND HARD LOOK AT ALL EEOC SETTLEMENT CASES WITHIN THEIR JURISDICTION FOR POTENTIAL FRAUD AND CORRUPTION INDUCED SETTLEMENTS.

PLAINTIFF EXPECTS IMMEDIATE ACTION ON THESE CHARGES FROM ALL JURISDICTIONAL VENUES.

Submitted by Plaintiff for Plaintiff and the good of the United States of America.

[signed]

Lee Kent Hempfling  
PO Box 6932  
Apache Junction, AZ 85278  
480-332-1535



March 1, 2004  
Lynette Barnes  
Regional Attorney  
Charlotte Regional Office  
Equal Employment Opportunity Commission  
129 West Trade Street Suite 400 Charlotte, North Carolina 28202

BY FAX: 704-344-6734

**Re: Freedom of Information Act Request, Privacy Act of 1974**

Dear Ms. Barnes:

Lee Kent Hempfling requests access under the Freedom of Information Act, 5 U.S.C. §552, et. seq. and the Privacy Act of 1974 to any record relating to the charge file of Lee Kent Hempfling and communications between the Equal Employment Opportunity Commission, its District, Field, Area and Local offices and regional offices and any member of the staff of United States Senator Lindsey Graham, The Federal Communications Commission, The Office of The United States Attorney General, The Governor of South Carolina, The South Carolina Human Affairs Department, The Attorney General of South Carolina, The Attorney General of North Carolina, L.M. Communications Inc., Lynn Martin, The South Carolina NAACP, The NAACP and/or their legal counsel and any memos, notes, emails and informations within the Equal Employment Opportunity Commission, from July 2002 through the present, regarding Lee Kent Hempfling, the Complaint Demanding A Federal Grand Jury, the EEOC charge and submitted documents by Lee Kent Hempfling, letters to and or from the office of Senator Lindsey Graham from EEOC's District, Field, Area and Local offices and documents pertaining thereto. This request includes, but is not limited to, records maintained by the Office of the Chair, the Office of the Deputy Chair and the Offices of the EEOC Counsel.

This request includes, but is not limited to, any and all communications regarding the correspondence of, from and to staff members for Senator Lindsey Graham.

Please search for responsive records regardless of format, medium, or physical characteristics. Records are sought of any kind, including electronic records, audiotapes, videotapes, CD's and photographs. The request includes any telephone messages, voice mail messages, email messages sent and received, daily agenda and calendars, information about scheduled meetings, whether in person or over the telephone, agendas for those meetings, participants included in those meetings, minutes of any such meetings, the topics discussed at those meetings, e-mail regarding meetings, e-mail or facsimiles sent as a result of those meetings, and transcripts and notes of any such meetings.

Should you determine that a record or portion of a record is exempt from disclosure, please black out rather than white out that information, identify and describe it, and explain your legal justification for its nondisclosure. Any reasonably segregable non-exempt portion of a record, of course, must be disclosed. See 5 U.S.C. § 552(b) ("Any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt. . ."); see also Schiller v. National Labor Relations Board, 964 F.2d 1205, 1209 (D.C. Cir. 1992).

It is further requested that any records relevant to this request not be destroyed. If any record responsive to this request has been destroyed, please identify it, describe its contents, and provide the justification for its destruction.

**Fee Waiver Request**

In accordance with 5 U.S.C. §552(a)(4)(A)(iii), and the Privacy Act of 1974, Lee Kent Hempfling re-

quests a waiver of fees associated with processing this request for records.

The information responsive to this request will be analyzed, and such analysis will likely be shared with the public, either through memorandums or reports which are likely to contribute significantly to public understanding of the operations and activities of the government and is not primarily in the commercial interest of the requester as such information pertains to federal offenses and criminal allegations filed with The Department of Justice, The Federal Bureau of Investigation, The South Carolina Attorney General's Office, The North Carolina Attorney General's Office and others, the prosecution thereof being in the best interest of The United States of America. 5 U.S.C. §552(a)(4)(A)(iii). See eg., McClellan Ecological v. Carlucci, 835 F.2d 1282, 1285 (9th Cir. 1987).

Furthermore, under The Privacy Act of 1974 citizens have the right to see files about themselves and the right to request an amendment if the record is incomplete, untimely, irrelevant, or inaccurate. Release of this information is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

Acquisition of the requested information specifically concerns identifiable "operations or activities of the government" and the public's understanding of the subject matter in question, as compared to the level of public understanding existing prior to the disclosure of requested information will be significantly enhanced.

Under these circumstances, Lee Kent Hempfling fully satisfies the criteria for a fee waiver.

### **Conclusion**

If you have any questions about this request or foresee problems in fully releasing the requested records within the statutory period, please call me within that time period. I can be reached at (480) 332-1535.

If you deny all or any part of this request, please cite each specific exemption you think justifies your refusal to release the information and notify me of appeal procedures available under the law.

Your prompt attention to this request is appreciated.

As the charging party I do hereby grant you permission under the Privacy Act of 1974 to release said information about me, to me.

Sincerely,  
Lee Kent Hempfling  
PO Box 6932  
Apache Junction, AZ 85278

March 3, 2004  
Mr. Richard Perry  
Chief Of Staff  
Office Of Senator Lindsey Graham  
1429 Longworth House Office Building,  
Washington, DC 20515

BY FAX: 202-224-3808

**Re: Freedom of Information Act Request, Privacy Act of 1974**

Mr. Perry:

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This request includes, but is not limited to, any and all communications regarding the correspondence of, from and to staff members of Senator Lindsey Graham.

Please search for responsive records regardless of format, medium, or physical characteristics. Records are sought of any kind, including electronic records, audiotapes, videotapes, CD's and photographs. The request includes any telephone messages, voice mail messages, email messages sent and received, daily agenda and calendars, information about scheduled meetings, whether in person or over the telephone, agendas for those meetings, participants included in those meetings, minutes of any such meetings, the topics discussed at those meetings, e-mail regarding meetings, e-mail or facsimiles sent as a result of those meetings, and transcripts and notes of any such meetings.

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If you have any questions about this request or foresee problems in fully releasing the requested records within the statutory period, please call me within that time period. I can be reached at (480) 332-1535.

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Your prompt attention to this request is appreciated.

As the charging party I do hereby grant you permission under the Privacy Act of 1974 to release said information about me, to me.

Sincerely,  
Lee Kent Hempfling  
PO Box 6932  
Apache Junction, AZ 85278

(Case brief presented to Billy Sanders, 8/20/2003)

I am Lee Kent Hempfling. I am nearly 51 years old, a victim of intense and horrendous intimidation, indignities and threats in my attempt to carry out equal employment opportunity within LM Communications and its affiliated companies. My complaint is real and enormous in scope and is highlighted here in presentation:

In the short time I was able to spend attempting to uphold the promise I made to Mr. Martin at my job interview to stay with the job until retirement I was subjected to a horrendous array of attacks from within and without the physical confines of the work place and after repeated and direct appeals to management, ownership and ownership's legal council to halt the intimidation acts I was constantly confronted with objections to my objecting; ignoring and blocking of my attempts to do the job as desired by Mr. Martin; attempts at character assassination including questioning my integrity and honesty and I suffered high blood pressure and massive weight loss as both my wife and myself suffered sleepless nights throughout it all.

The reason Cohn gave me for being discharged was "poor performance of the station". I wrote it down in my notebook of the day's meetings immediately after the entry made in the sales meeting where I was shocked to hear that after all those months WCOO was finally going to be given promotional items and advertising to being told in front of the sales staff to meet 'Charlie and Mike' in a private meeting then be fired thereby making the new found cooperation shown in the sales meeting as the public humiliation it was.

Mike Almond's presence as witness in that meeting was typical of past behavior when Mr. Almond was present at meetings dealing only with WCOO, meetings having to do with possible personnel changes and meetings called impromptu in order to show me a unified "story".

The intimidation incidents were initially summarized in my filing with the Equal Employment Opportunities Commission wherein I listed:

1. Threatening emails while employed.
2. Threatening email after discharge.
3. Threatening anti-Semitic terrorist photo sent in email.
4. Refusal to permit carrying out the duties of my position.
5. Blame for lost commercial revenue.

6. Sabotage of work performed.
7. Public humiliation and character assassination.
8. Humiliation by management to staff.
9. Attempts to trick me into violating corporate policy.
10. Sabotage of transmitter power.
11. Sabotage of station audio processing equipment.
12. Sabotage of program elements.
13. Ordered not to so much as call the area code of Lexington Kentucky (both for me and my wife.)
14. Refusal to permit necessary work tools (which were provided immediately after I was fired.)
15. Called a liar repeatedly.
16. Insulted continuously behind my back.
17. Every report I made of unsafe or illegal behavior and conditions was ignored.
18. Receipt of a carefully edited mp3 file of "Crying Time Again" AFTER I was fired.
19. Equipment was damaged (but only effecting WCOO).
20. Notices of unsafe working conditions were ignored.
21. Music scheduling software was tampered with.
22. Attack continued after discharge.
23. Penalized for wanting to do my job and improve the midday slot at the radio station by insisting that such a position would be part time only.
24. Rumors and innuendos.
25. Threatened with legal action and advised of legal action against me.
26. Refusal to repair broken and damaged equipment only for WCOO.
27. Replacing equipment (only for WCOO) with defective parts.
28. Hatred of 'black' music.
29. Branded a 'complainer'.
30. Intimidation of a new employee before the start date of that employee.
31. Software was deleted from production computer.
32. Given a broken 'boom box' to suffice for an air check machine.
33. Constant references to changing the station's format.
34. Being told to write a memo about a microphone caused an outrage by the engineer.
35. Show prep stolen from my desk.
36. Equipment in my desk was damaged.
37. Given a non-working telephone for my desk.
38. Ethics questioned.
39. Interruptions using the 'hot-line' during my morning show causing dead air and bad radio.
40. Tampering with the station's legal ID.
41. Given worst computer in the building to suffice for WCOO's music computer.

42. Degradation of my wife for having spoken to Mr. Martin.

These 42 individual events aimed at intimidating me into either leaving on my own accord or setting up a false claim for discharge of me from the position were perpetrated with malice and forethought and intended to bring about my rejection of, or ejection from the position all because I hold a plain, logical philosophy of equality between races.

From the very first day of work in February to April 2002 I carefully performed the duties of my job under great duress not understanding why I was being attacked and treated like a sub human.

The interview trip was different.

On that interview trip I met people who were concerned for their jobs (as any air staff would be with a new programmer) and I met people who were assured of their jobs.

One person acting assured of his job was Bruce Musso.

Musso and I met for the first time while Cohn was taking me on a tour of the building. Musso was not friendly but he also was not hostile. We smoked cigarettes out the 'back door' and talked about radio while others joined in or listened. It was an agreeable discussion.

I had commented to Cohn that I was both shocked and thankful the station had a full time engineer, as it was a luxury most stations no longer have. I was excited about having a real engineer close by.

Then I was witness to a disgusting act when Musso caressed Logan and rubbed his chest into hers near the front doors of the building while laughing and snickering.

Why did the first meeting I had with Musso give me an impression of him other than what I was shown when I arrived to work on the very first day? Perhaps he was more like the incident at the front door than he was privately.

Musso would not talk to me. He would not recognize even a simple good morning. He ignored me. I later learned from employees that Musso treats everyone that way. He did not treat me that way when we met. There had to be a reason things changed.

Throughout March and April 2002 I kept wondering what the reason was that I was being subjected to at first being ignored then intimidated then threatened then sabotaged.

One potential was the Linda Logan issue. Linda Logan was in my professional and experienced opinion one of the worst midday performers and attitudes I had ever worked with. My attempts to replace her with the 'professional' Mr. Martin said he wanted in his radio station was met with objection and attack at every step even though she had been fired from the very same station for bad attitude before.

What did Linda Logan have to do with my being intimidated?

I looked into the issue with employees in the building and learned that Logan was believed to have sold drugs in the building while Steve Jason was General Manager. I did not know Steve Jason but additional digging found that allegations were alive that Jason was a major drug connection in this town. Jason was later fired by Citadel for allegedly selling drugs in their building.

Perhaps the connection was Cohn's friendship with Jason and Logan's mutual interest with Jason.

Jason had hired Logan back after the company before had fired her. That made sense if the sources were accurate. But that issue was just a part in the chain of events. It was not the cause.

I learned in April 2002 that Linda Logan was changed from part time staff to full time staff without competitive open applications sought on January 21 2002, the day before I was finally able to speak with Cohn about a job and it became effective on the very day I was leaving Phoenix, Arizona to arrive here to be her new supervisor.

That would only have been done when a new programmer is coming to a station if the person doing the hiring had either a personal interest in the employee or an ulterior motive for a different interest. A professional manager would never show a direct disrespect for a new program director even before the programmer arrived at his first day.

Regardless of the overwhelming evidence pointing to a Steve Jason connection that did not sit complete with me so a further examination was in order. It had to be something simple and Logan had to just be a part, not the point.

Radio Consultant Don Hallett first read material written by me on or near October 01, 2001 at 9:54 AM when he logged into the Radio-Aid.Org site I had produced, acquired an account to receive the download and read my take on broadcasting as well as having been subjected to my postings about broadcasting on the AllAccess.Com posting board.

Hallett posted a message on that board later that supported what I had to say and I wrote thanking him for his post.

That was December 19, 2001: a day that made it all come together in retrospect.



During the morning hours of December 19, 2001 Hallett and I exchanged emails resulting in a mutual interest regarding a position open at one of his client stations.

At 10:26 that morning I provided Hallett with a web address containing my personal resume and air-checks. Lee Kent dot Com.

Later that afternoon Hallett informed me that he had spoken to the "GM" about me and that the 'GM' had spent some time at my website.

I was discussing a position that had not been advertised and never was. I had sent a potential employer and consultant to a web site that contained my story. Part of that story was a reference to why I resigned from the Cincinnati Police Department: because I would not take part in the beating of an innocent black man.

What did become advertised in AllAccess.Com's job board was a job opening for morning talent for WCOO where "previous programming experience could mean more".

Mike Allen, Operations Manager, placed that job ad on the afternoon of December 19 2001.

Hallett told me that Allen's holding the position was temporary and we pursued discussions about my being hired as Operations Manager for both WYBB and WCOO.

Hallett transmitted reference requests to my references asking for a reference for me as an Operations Manager. Months later I was confronted with shock from the LM Communications attorney while speaking on the phone that Mike Allen was still working for LM Communications at all. He apparently had assumed I was hired to replace Allen. It was believable, as Cohn had recently asked if I would mentor and teach Allen programming.

On December 19 2001 Hallett explained the position to me as Operations Manager for WYBB and WCOO for which the OM would also hold an air-shift. Later that day a job ad was placed for the air-shift I said I would like to hold, mornings on WCOO: while the position I was talking about was not advertised at all.

How could Hallett read my resume and bio and continue active discussions to help improve the performance of WYBB and WCOO and Cohn read my bio and resume and conclude that obstacles should be placed in the way of my being hired? How could Musso go from talkative to rude between interview and start day?

On the 26<sup>th</sup> of December 2001 I called for a 'diverse airstaff, leaning black' presented in one idea for a new WCOO in an email to Don Hallett.

From December 19 2001 to January 2 2002 I received no contact from Cohn about the position.

After repeated attempts to make telephone contact with Cohn over days since Hallett told me time was ripe we finally connected on January 3, 2002 where I was told I was one of 10 finalists. He was very friendly to both myself and my wife in two separate phone conversations.

I was excited about the opportunity, as both classic rock and rhythmic music were personal favorites of mine and my wife and I were looking for a home with a stable company wanting to succeed.

On the 4<sup>th</sup> of January 2002 Hallett transmitted reference requests to the names I provided.

On January 14<sup>th</sup> Hallett asked where things stood with 'Charlie' and me.

On January 16<sup>th</sup> I informed Hallett in email of the telephone conversation I had with Cohn about a meeting with me in Charleston for the following week.

On the 17<sup>th</sup> of January Hallett told me in email he would not be attending the 'meeting' in Charleston.

January 21, 2002 Cohn hired Logan full time effective February 1, 2002.

January 22 2002 Cohn called me to begin setting up air flight arrangements for the 'meeting'.

Cohn tried to get me to buy the tickets. I refused to front the money (besides not having extra cash to throw around) and Cohn started discussions about my not having credit cards.

January 23 2002 Hallett informed me he was coming to the 'meeting' and that 'discussions if not concern' prompted him to say "You may need me in your court at the end of the day."

A businessperson would logically look upon a potential employee who uses a debit card as less of a risk for garnishment but Cohn managed to make it an issue.

As evidenced in email to Hallett of January 23 2002, an offer for employment was made January 16<sup>th</sup> 2002 after I called Cohn responding to his message "We are ready to make you an offer and get to work...". The only issues remaining were bonuses and ratings incentives and the dollar amount was agreeable in the 'mid 50's'.

In the January 23 letter to Hallett I informed him of my confusion of having been discussing the Operations Man-

ager position for WYBB and WCOO and the abrupt change in talk from Cohn about Program Director only of WCOO.

January 25 2002 I met with Cohn, Martin and Hallett starting with lunch where Martin explained his vision for a professional and profitable property and Cohn lowered the starting amount of money and sidestepped the position issue. Martin talked a great deal about his goal to have a person in 'this' position that would stay with the company until retirement.

Yes, red flags were bothering me about Cohn and his roadblocks but the offer of a job till retirement was too enticing after all those years in radio. A job till retirement for a company that wanted professional radio was exactly what my wife and I were looking for. Martin appeared sincere in his desire for me to stay until retirement and it was on that issue alone I overcame the objections to Cohn's handling of the discussion and interview process and decided I would accept the position if I heard it from Martin.

I did later that day in a closed door meeting with Cohn, Martin and Hallett but not until after Hallett obviously was confused by the change of conditions so much that he interrupted the offer discussion and made an offer to me directly to help find me a different job if I did not like the terms of this one.

But I believed Martin. After all, why would a man in business give perfectly logical reasons for a perfectly logically desired way of doing business and go against his own logic?

Days after the interview Linda Logan was apparently clandestinely hired by Cohn and raised to 19,000+ per year full time. When I arrived for work I did not know who was or was not full or part time or when they started. Cohn never provided me with any information about staff. It was not until April 2002 that a search of documents found inside the desk I was assigned and under a pile of useless papers unveiled the payroll authorization to hire Logan.

Not only had I been hired to perform that task but I was on that very day in transit to my new job.

What was the reason a hiring was made just before it was discussion time with me and effective just before I got to town?

It had to be to protect what was an obvious position I would be seeking to replace. Not to protect Logan but to keep anyone in the building who might be part time from being given the knowledge that a full time position was open. It would have been very obvious from my writings on radio and the bio and resume I presented on line that I follow equal opportunity guidelines. In fact I had created a product called "Virtagent" (virtual agent) for a company I previously chaired that addressed equal opportunity in broadcasting and sought to make it standard operating procedure.

Patricia Thompson was presented to me from various different perspectives after I arrived for work the first week. I noticed many different objections to Thompson but all of them seemed shallow so I took a closer look.

I did not like the way show prep was being copied for a weekend air talent and put a stop to it. I brought up that item at the first staff meeting in which Thompson handled herself well. After talking with others in the building and listening to Thompson on the air I found a personality talent in her that was not being tapped and had not been properly extracted and a distaste for her from Musso, Logan, St. John and others that had nothing to do with performance or attitude.

On the 9<sup>th</sup> of February I made the first comment to Hallett in email regarding Thompson being more than I was led to believe and informed him that I was thinking about considering her for the 20-hour weekly evening shift then held by Stevie 'Byrd'. "I'm starting to think with a little coaching Trish could make one hell of a night girl..."

It surprised me in response that Hallett said, "I've never heard her", since she had been with the station in what appeared to be longer than most others.

After 'Byrd' resigned when confronted with his having falsified pay record reports for months without actually showing up for work at all during that time except for Saturday nights when he would make the entire week's generic voice tracks I was told by Cohn the position would not be replaced.

I saved the company from fraud and the result was the elimination of the position. My first plans for a shift in which to train a talented personality was eliminated.

At that point I was taking the first 30 days of the new job to get to know the staff and did not make any recommendations for staff changes until that evaluation period had completed.

It is best to give people the most opportunity possible to prove themselves over and above the results their ratings show and I provided that time period, meeting with staff members, listening and watching their interactive nature within the business.

After that period completed and I knew the direction to take the station I planned to work with

Logan and St. John to see if I could improve their performance and trim their attitude problems softly. In the mean time I placed a blind box ad for production director air staff member in numerous on line industry job sites including allaccess.com and insideblackradio.com.

The process was a backup to any potential failure to salvage existing staff and with St. John suffering from strokes having a backup could have been necessary.

While that search was underway I set standards for performance by staff in the first air-staff meeting and talked to them individually about adhering to them. Those standards along with more detail about issues no one would have expected to see on air were issued on February 20 2002 to all air staff in writing. 1 full time air staff employee was left while Skip was in the hospital.

A necessary tool for the job of programmer is an air-check machine. WCOO had no air-check machine, although I was told it used to. It is rather ridiculous to expect a program director to discuss a person's on air performance without having a taped copy of the program by which to refer yet I was prohibited from acquiring an air-check machine. WYBB had one installed and working well and after attempts through Cohn failed Hallett managed to get agreement in his words for a 'care package' of parts to create an air-check machine from the chief engineer in Lexington.

Neither Musso nor Cohn ever requested the 'care package'. I did not have the authority in any engineering topic.

My first day on the air was February 14<sup>th</sup>, Valentine's day. The contest I ran to open the show drew quite a few calls and the trend for that period of time showed a giant increase in black females. Imagine that. A black music station getting a giant increase in trending black females on the day after two weeks of promotional mention a piece of diamond jewelry was up for grabs after getting a Huggies diaper and a Hershey's kiss.

The jump in black females was pointed out to Cohn who rejected it as a fluke. Here I was. The

guy who is against bigotry, wanted to place a black part time female into a previously held black part time male's shift who had that shift destroyed and run without a talent so the black female could not be hired for it and the person responsible for all the intrusion winds up pulling a great trend with black females and to imagine the Confederate flag on Musso's truck and his constant ranting in the halls about "fucking cool" and his refusal to place WCOO in the music on hold for the station after months of WYBB playing Howard Stern to the business person on hold.

It was just the beginning.

But it was a beginning that set the tone for the rest of my tortured existence at WCOO.

On February 20 2002, after talking to Cohn about the problems in the evening shift as Stevie Byrd had just resigned and suggesting that perhaps Skip could take the shift when he returned from the hospital (as there was no way a great afternoon show was going to be presented by Skip who was from a different era in radio and not acceptable professionally in the style of his delivery and the corniness of his content and his inability to perform the entire shift) and that would fill a slot that was vacant and not involve the objections Cohn continually displayed to Thompson doing anything with the station other than her weekend shift and would provide Skip a job.

Then on the same day the 360 telephone recorder in WYBB's studio died. A meeting was held with Cohn, Musso, Allen and myself about the recorder. Musso suggested pulling the telephone recording computer out of WCOO and putting it into WYBB. I said no. WCOO's equipment was in horrible shape, the control room was never finished, the phone computer was the only thing that worked properly even though the phone was never set correctly. So he pulled *my* computer and put it in WYBB and blamed the incident on why he didn't like me, at least according to Martin in a telephone conversation.

Later that night I wrote Hallett and asked if I missed something. Mike Allen (Almond) was always present at meetings that involved only WCOO. As Program Director of WYBB his pres-

ence was not only unwarranted but it was curious. Did Mike retain the Operations Manager position my references had referred me for or was it a recent promotion? Did Mike have to be in every meeting to provide a 'witness' for Cohn?

Hallett did not know and said "Hmmm? I'll do a little digging with Charlie." Later, Hallett suggested I suggest a co-Operations Manager position for Mike and I. I never did so. My intention was not to have a position I was not hired for. My intention was to know why Mike Allen had to be involved in absolutely everything I did about WCOO. Later Bob Brooks distributed a sales piece claiming great numbers in a trend and listed Mike Allen as Operations Manager. At least it finally got cleared up.

I did not care about position or title and never did. I care about being told the truth and being dealt with professionally and fairly as it is the way I perform my job.

February 25 2002 Skip St. John returned to work and provided a doctor's note restricting him to fewer hours than the job called for and even went so far as to 'order' a one week vacation every quarter.

Dealing with a tender situation from a man who had just suffered a stroke combined with his previous inability to do the job properly led me to attempt to move him to the part time evening shift vacated by Stevie Byrd but the position had been canceled.

February 28<sup>th</sup> I received a hand delivered resignation letter from Patricia Thompson. In that letter I learned for the first time the station had an 'in' with Charleston's Promise, the local arm of Colin Powell's America's Promise and a community group I had been seeking contact for ever since the 'Turtle Race' first was introduced to me to talk about on the air. I had presented (on February 24 2002) a promotion idea to Hallett for Cool Kids and Charleston's Promise was the source of the best kids connection the station could have.

Thompson's terms of continued employment were foreign to me as I did not know what the salary rate was for part time staff in the market but I knew the amount she quoted had to be too

high for a market the size of Charleston. I was forced to accept the resignation but I did notice that the one person who 'got it' from the entire air staff listed what I was looking for in keeping staff employed: "The quality and work ethic you desire is the in the character of the individual; the commitment you seek comes from the heart..."

It was work ethic and quality I was seeking for the station's staff and I was not being shown either by those who I thought held full time positions. It is the definition of a professional and exactly what Lynn Martin had instructed me to do on the day I accepted a job with his company over objections to the way I already had been treated by local management.

On March 2 2002 I wrote Hallett asking his advice (that is what a consultant is supposed to offer) on the horrible situation with Musso being uncooperative with a belligerent attitude and not getting anything fixed.

He replied by saying "I feel your pain".

Throughout the rest of my tenure with LM Communications and its various child companies I experienced one form of abuse, intimidation or threat every single week, (each event is detailed in the exhibits in the direct email and notes kept by me) often, on a daily basis especially after I learned about the staff I had, after I showed a large gain in black females in my first trend, after the station's transmitter tube all of a sudden was not working making the station have to broadcast using the backup transmitter, after I was never told the transmitter was on backup, after I was told, face to face by an embarrassed Linda Logan, standing in the hallway outside of the programming office door that "Bruce" told her we had been running on 35 to 50 percent of power for a while causing me to file a letter of notice with Arbitron, after informing Cohn numerous times of complaint phone calls from angry listeners who could not hear the morning show in Summerville, after his telling me that was 50 miles away and not a problem and finding Summerville to be so far inside the contour map of the signal to have been a catastrophe to receive so many complaint calls, after receiving a literal threatening email from a Bruce Musso engineer friend's email account containing color images of Yassar Arafat with two Palestinian gunmen holding AK-47's and wishing me good luck in my new job that I withheld from my



wife for days in order to save her the fear and shock that happened when she saw the threat it represented, so close after 9/11, so direct an attack on a Jew, after learning that only until later in the Spring, 30 days after WCOO started receiving morning complaint calls about a lost station did WYBB experience what Musso and Cohn had continued to call Temperature Inversion Interference, after the company chief engineer and Hallett set the station's processor correctly to have it broken into (passwords were changed by the chief engineer who had to break in himself since the approved password had been changed) and changed to sound like it did before the experienced ears of Hallett and the chief engineer corrected it, after Cohn rejected the idea that Musso would have tampered with equipment after he had tampered with equipment every month I was employed by LM Communications, after I was turned down on every single large come building and quarter hour retention promotion I submitted, even though they were designed to make money for the station, even after Hallett praised each one, and the list goes on and on and on and the weight went off and the blood pressure went up and the literal aggravation of being stopped at every single step in my attempt to give Mr. Martin what he demanded to have: (A professional radio station with professionals behind the mic resulting in a professional representation of LM Communications in the market and the ability to let programming help sell the station instead of hinder that function.) as I was the only threat in the building or apparently the company to have already been known to have sided with the logical thought process of putting black air-staff on a station that played black music.

When I learned that Linda Logan was actually a part time staff member before I was hired and was hired full time while I was on the road to the job it made me think long and hard on what the real reason could be for all of the pain and aggravation and sleepless nights.

It was too obvious.

I came to program a black music radio station targeted to both black and white listeners. If Linda Logan was not hired full time quickly before I arrived it would have been obvious for me to ask for full time salaries for the other two important day parts. It would also have been obvious that Mr. Martin would have argued the need but would have seen the requirement and would have approved that move. He wanted to succeed.

I openly called for a diverse air staff, leaning black even before I was hired. All correspondence, according to Hallett, that he receives from employees are subject to be forwarded to management as well they should be.

My history of anti-segregation was posted on the very same web site Cohn was said to have spent time at and was posted on the very same web site while I was employed with the company saying the same thing.

There was a black part time female employee who obviously would have applied for a full time on air midday position and would have been a preferred choice as a longer time employee than most others in the building.

And if I meant what I said there was a good chance that the afternoon drive shift would be staffed by a black person as well.

Even after dodging my initial calls, talking only after Hallett brought it up and trying to annoy me in the process by seriously asking me to front the trip air fare, after looking at my web site, talking to Hallett and then placing a job ad for the very shift I showed interest in but not advertising for an Operations Manager or a Program Director but an air talent who could be more on the very same day, after lowering the dollar amount from telephone negotiations to personal interview, after losing my health insurance forms after telling me they had been filed with the company and many more incidents detailed in the exhibits I still wound up in the job.

I took the job because of the desire of the owner for me to stay until retirement and I figured he had a handle on his company and expected that impression to be true each of the times Hallett took me out to the back landing of the second floor of the building to ask me if I still intended to stay until retirement. He eluded each time that the question was on behalf of Mr. Martin. It made the pain more tolerable but not less cumbersome.

After I was hired the best way to get rid of me was to ruin my chance of success.

Every proposal, every promotion, everything I did to try to accomplish the job I was hired to do was stopped or ridiculed and stopped.

I was subjected to having a compliant letter about me personally from an acquaintance of Linda Logan written to the General Manager displayed, shown and allowed to be read by the entire sales staff before I received a copy of it and then only after Mike Allen delivered it to me.

I was ridiculed in front of two Arbitron representatives in a meeting about ratings enough to cause them both to comment on Cohn's behavior after he left the room.

Not once during my stay with LM Communications did Cohn ever take the common decency and the logical good move of a manager and ever ask my wife and I out to dinner or coffee or any socialization.

The simple act of providing a serious on air critique to daytime employees, Logan, the full time and St. John part time, where very serious issues were found and addressed very seriously, including Plugola (for which the station had no policy or signed required Plugola forms on file until I caused it to happen through Hallett) and what sounded like a blatant violation of fixing a contest by Logan resulted in a complaint letter from both of them directed at me personally and the company threatening legal action for daring to critique and call things as they sounded. Before those letters were given to me Logan started meeting every morning before her shift with Cohn. Alone. She was constantly missing her change over with me because of her being 'downstairs'.

The St. John letter was held over my head just about every other meeting after that from Cohn even telling me he had heard that St. John was going to sue me personally. The Logan letter was rejected by Cohn and literally TORN UP IN MY FACE in front of Logan.

Cohn kept those false and fire-able legal challenges as the main topic of concern while I attempted to wrestle a station into the future with power reduced, no advertising permitted, no

marketing permitted, no Internet access permitted in the control room, no air check machine permitted in the control room, no quality in the on air signal and email threats repeatedly from Musso one even repeating what Cohn had told me about a musical group. Almost all of the prohibited things I requested were installed within days of my being fired.

Every single act perpetrated on me was brought to the attention of Hallett. I expected Hallett was doing what he said and forwarding emails to Mr. Martin when they were confidential, he even insisted I copy Martin and Cohn after a round of problem emails. Every single act of email threat, intimidation and sabotage was brought to the attention of Cohn through a complaint by me both verbally and in writing to have it stopped and every single time he rejected my complaint. He began having lunches with Musso. He tried to set me up to go against Mr. Martin's orders and he questioned my integrity and honesty three times.

Every single bit of it was to keep me from hiring the obvious choice in the building full time for a shift on the station and to stop me from having the ability to have a shift even open to fill. I had to argue with Cohn to get the afternoon staffed with a professional. I had to take it to Hallett to get anything at all done in the station. I had to be subjected to having Linda Logan quietly air checked by Cohn himself during a week when I was astonished at how little she was actually talking and how concentrated she was on the job she didn't think she needed to work hard in: even to leave the building during her shift to get lunch: during a live on air shift with a contest running even after I had told them all to stay in the control room during a live shift. She went to Mike to get permission.

The serious accusations of threatening email and Musso's 'madness' were brought to the attention of Martin in emails begging for the stoppage of intimidation, in telephone discussions reasoning the stoppage of intimidation and after a solution was agreed to, to have Hallett call me about the engineer I used for a reference, to have that engineer talk to Cohn on the phone and Martin on the phone and come away from both calls totally confused as to him Martin said one thing and Cohn said another, to have Musso quit his job by throwing his cell phone and keys at Cohn in his office after I refused to take his vulgar abuse in a phone call as he was complaining that I dare leave him a request memo that Cohn had instructed me to leave, to have that engi-

neer come back to work and continue the harassment and intimidation can only show me and any prudent person that with all of the events and all of the consistent connection between Cohn and Musso and Cohn and St. John and Cohn and Logan that Cohn was the central point and obviously so in charge that he refused, ignored and excused in writing the acts of his engineer and refused and sabotaged the attempt to hire a replacement.

It had, for some reason, to have been very important to drive me out of the station and keep me from adding any black people or promoting a black person who had not been fired by the station for bad attitude, was making far less per hour than the part time Logan who was promoted to 19 thousand plus dollars a year and keep me from having any staff position open by eliminating them if I chose to replace the person holding the position.

It happened with evenings. Then it was the excuse for mid-days. The excuse for afternoons was Bobby Collins at first but that was rejected by Hallett and then said to be my idea. When Patricia Thompson filed one of her letters to Martin I was told by Cohn to get Denise Moseley and train her to be a disk jockey. Denise Moseley was the station's only black employee at the time. She was flattered but she was not ready for air. Training would be needed. When she took her first training session (during her break) Cohn burst into the production room and angrily ordered her out and back to work and that any training would be done on her own time.

Absolutely everything that could be done by a small staff of people working together to stop the black radio station from actually serving the black audience was done.

Every single act, no matter how contorted the reasoning was with one purpose: To intimidate me into leaving and thereby stop any potential black employees from coming into the building.

Cohn was quoted as even saying he didn't know any "intelligent black sales" people.

I can imagine the amount of lies told to Martin under the guise of mutual friendship to cause him to believe I was a complainer (and not a victim) and it took a long time for Martin to lose his faith in me and all it took was money.

The station's equipment problems were horrendous. Nothing would get fixed even with the luxury of a full time engineer and certainly not after he reduced his hours and changed the checks from Bruce Musso without taxes withheld to an engineering company without taxes being held due to his new name for a contract employee under direct control and supervision including his own locked office work space, his own locked behind a door private computer and his willingness to do anything Cohn wanted done including enlisting engineer friend's Internet access accounts to send his email threats.

Finally the ancient DCS computer system crashed and both stations were left without up to date commercials. Since I worked in the morning hours in tandem with Bobby Collins, the production director we would spend all morning long dubbing and replacing and airing every single commercial order in the house to get both stations running them. There were quite a lot that were missed but what was missed was not the commercial in the system it was the traffic department's lack of using the number they assigned to Collins and not picking up daily logs for review over a long holiday weekend.

When I came in to work on the following week I noticed that the commercial logs that were normally picked up every morning by the receptionist while I was on the air or sometimes taken by Mike Allen had collected the entire long holiday weekend and needed to be dealt with to make up any lost commercial revenue over the long holiday weekend.

The only person in the building early enough to talk to about it was Bob Brooks. I brought it to his attention that someone had either dropped the ball or needed to catch up on the logs.

That incident became an accusation by Cohn that I caused the commercials to be missed and the loss of revenue obviously played a major role in the decision by Martin to finally let Cohn get rid of the black threat. John Majhor told me that Hallett told him that if I had just come into the station on his last visit I might have saved my job. I was at the hospital with my wife in surgery and had informed Hallett in advance of the late notice being unable to attend any afternoon functions.

Bob Brooks called me into my office, closed the door and very sheepishly forced a fake personal and angry attack on me for not making my staff do their jobs and losing commercial revenue.

I was the one who identified the problem. I was the one that was the seed of its being fixed. I was the one blamed for it and Martin fell for it. It was indeed the “hornets nest” Hallett kept referring to the station as. It made Musso’s asking “why are you still here” in email so relevant.

The entire time Cohn was objecting to my ‘management style’ Hallett was complimenting me and asking me to do something he could complain about. The entire time Cohn was talking about getting rid of the ‘format’ I was trying to make the format work. Hallett was in agreement with motives for changes to improve the station in the format it was in. Hallett sent a list of 80’s tunes to Cohn who was to give it to me to review for possible add titles from the era and format played of the 80’s on the station already where Cohn presented it to me as a list of the new station he planned by replacing the Cool format with an all 80’s station called The Bridge. I was building a station and it was being chipped out from under me.

I did manage to get the station van laid out in new graphics, tires, ground effects and a large sound system. The first night the van sat in the parking lot it was keyed down the side. The first time Linda Logan took the van to a remote broadcast Musso showed up and the speakers were blown out.

Musso took people on a tour of the station during a weekend shift of Dwight Lane where he explained loud enough for the part time talent to hear that they were getting rid of that music and going all 80’s. On another weekend Musso had to be called in to fix a broken microphone. Ray Lewis called Cohn and Cohn had Musso respond. When Musso arrived he “started saying the following: ‘That fucking Lee Kent probably sabotaged the fucking thing’. Bruce was calling Lee, mumbles, cocksucker, motherfucker, etc., and also said that is why the trend went down to a 2.8 share”. The trend went down because Musso put it down with low power, horrible sound quality and a month of waiting for a ‘new tube’.

On June 16<sup>th</sup> I received a memo from Musso “As per my agreement with your Supervisor, Charlie Cohn, I only respond to engineering request from Mike Allen, Ken French and Charlie Cohn...” Not only would I be accosted if I talked to Musso about engineering items I was prohibited from talking to Musso about engineering items.

On July 3, 2002 after thinking that perhaps if I just gave them a helping hand and showed them a way to make money with what they had and did not take credit for it I could ease the threat of losing my income and help Mr. Martin that way. Hallett told me to take the credit for the proposal I made to increase revenue. But I still offered to not take the credit when I dropped off memos offering the proposal in confidence to Brooks and Cohn. Neither one ever responded to it.

Just the week before I was fired I ran a pre-produced parody commercial for one of my morning show characters, Honey Ida Vane where she had, in a series of fake political ads for governor produced by me and partially voiced by John Majhor espoused her position on important topics of the day. That version was the Confederate flag. It followed weeks of being referred to as “you suck” by Ken French and others as that was the constant term used in the abusive emails received directly from Musso and it was common station wide knowledge that I was being subjected to intimidation and abusive treatment.

After I was called into the private meeting with Cohn and Almond and fired for poor performance of the station I received an email from Bruce Musso’s engineer buddy containing a photo of me copied from my personal web site with A VICTIM OF MUSSO MADNESS etched across the image.

The email also contained a snippet of CRYING TIME AGAIN in an audio file.

I sent both on to Martin, Cohn and Hallett.

On August 12 2002 I sent an email to Cohn and Martin requesting my legal right to view the



contents of any personnel file there may be that I was not aware of. I was aware from Denise Moseley that there was no personnel file. I know that no document ever was presented to me complaining about my job performance. In fact I was never talked to about my job performance.

My ordeal was over but my rights were trampled, my equal protection under the law was destroyed, my career was tainted with a discharge for poor performance by a program director, my pleas for help from Martin, Cohn, Hallett, Bill the LM Communication corporate attorney, both in fax and on the phone were ignored, ridiculed and used against me. The phone conversation from the corporate attorney was for the express purpose of finding out what I knew to be the facts about Patricia Thompson's complaint letter to Mr. Martin and as I did with both telephone conversations with Mr. Martin: I elaborated on additional evidence and supporting facts that backed up the allegations of Thompson and the mistreatment of her and blacks in general. While acting in an official capacity I informed the corporate attorney of the intimidation I was subjected too and in both verbal and written correspondence demanded the unbearable conditions of a threatening work environment be dealt with by management and stopped. Everything continued.

I have suffered immense harm from the attempted destruction of the credibility of my programming expertise, by the devastation of months of intimidation and attack, by the impossibility of fulfilling the insistence by Martin that I stay until retirement, which was the only reason I took his job in the first place, and from the emotional and health consequences of continuous bombardment of attacks, lies and deceit that continued even after I was humiliated in front of the sales staff, fired and ushered out of the building by Mike Almond.

Every single thread of evidence in the exhibits and all previous documentation submitted to the EEOC, The FBI, The FCC and Mr's. Martin, Cohn and Bill the corporate attorney are hereby claimed as relevant and inclusive and supportive of the charge that I was discriminated against by LM Communications and its companies controlled by LM Communications and each individual involved in the rejection of my rights afforded under law, prove beyond a reasonable doubt that I was the victim of bigotry at its worst:

Bigotry that sought to demean and destroy the person who tried to uphold the Equal Employment Opportunity laws of this nation.

I **demand** the fullest extend of every applicable law's monetary judgment representing real damages and emotional distress for the total expected period I was required to agree to work to accept the position and all applicable penalties and compensatory damages afforded to me by all applicable federal and state laws.

Lee Kent Hempfling  
53 Muirfield Parkway  
Charleston SC 20414  
843-225-6310  
843-227-1996  
iggit@iggit.com

Ms. Jean Price %  
U.S. Senator Lindsey Graham  
530 Johnnie Dodd Boulevard  
Suite 202  
Mount Pleasant, South Carolina 29464

4, August 2003

Ms. Price;

I am writing to request the intervention of The Honorable Senator Graham, in a matter before the United States Equal Employment Opportunity Commission for retaliation in an attempt to hire a African-American female, fulltime, The Federal Communications Commission for violations of FCC regulations and law and The Federal Bureau of Investigation for a terrorist inspired threat on my life received in inter-state email.

EEOC Charge number: 140A201867 filed 8/29/2002, received by EEOC 9/4/2002.

Dates of discrimination inclusive from 2/1/2002 to discharge and 7/25/2002:

It is now nearly a year later and there has been no investigative fact-finding. A fact-finding meeting was set April 24-25 of 2003, but only after I had to cite EEOC enforcement guidelines showing the EEOC has jurisdiction. I was told then not to argue legal matters with them.

Ever since the EEOC investigator canceled the fact-finding meeting I have been unable to have him schedule one. Each request in email is responded to with a promise for action but none has occurred.

This case involves complaints filed with the FCC to which no response has been forthcoming, the FBI where it was refused, as the threat against my life was not 'current'.

The EEOC has ignored its processing deadlines, violated its own regulations and refused to prosecute the case without holding a fact-finding meeting, attempting to have me request a letter of suit authorization to do away with the case numerous times. The FCC has ignored the filing of the complaint. The FBI has rejected the complaint for investigation. The EEOC has refused to process the complaint. I did not receive a confirmation copy of the EEOC complaint until after October 17, 2003 only after I specifically requested it.

I am asking for intervention in having the EEOC case assigned to a competent investigator, to have the EEOC's enforcement guidelines adhered to and to have the FCC and FBI properly investigate and respond. The FBI did not respond until I called the field office to speak to an investigator where investigation was refused. No written response has been forthcoming from FCC or FBI.

All claims, complaints and filings are available in documentation including 188 individual evidentiary documents.

I remain,  
Respectfully Yours;

Lee Kent Hempfling  
53 Muirfield Parkway

Charleston SC 29414  
Home: 843-225-6310  
Cell: 843-227-1996

U.S. Senator Lindsey Graham  
530 Johnnie Dodd Boulevard  
Suite 202  
Mount Pleasant, South Carolina 29464

20, August 2003

Honorable Senator Graham;

I am writing in follow up to a request your office handled for me in regards to a matter before the United States Equal Employment Opportunity Commission for retaliation in an attempt to hire an African-American female, fulltime: The Federal Communications Commission for violations of FCC regulations and law: and The Federal Bureau of Investigation for a terrorist inspired threat on my life received in inter-state email.

This issue has become larger than could ever be expected and demands immediate legal remedy and a public outcry of injustice, deception, collusion and federally originating intimidation.

A copy of this letter is being sent to both your Mount Pleasant office and your Washington D.C. office, addressed to your Chief of Staff. There are 131 counted pages in this document.

EEOC Charge number: 140A201867 filed 8/29/2002, received by EEOC 9/4/2002.

Dates of discrimination inclusive from 2/1/2002 to discharge and 7/25/2002:

I must inform you that there is a deep and serious situation hovering around my case and it has to deal with bigotry itself, being the cause of my first complaint, written 4, August, 2003, filed with your office and the cause of the reason for that complaint.

When I filed that complaint, I asked for a competent investigator and requested your assistance to have my case properly handled.

There was a reason the case was being held up.

It now appears, after the recent personal discussion I attended with the EEOC staff member Billy C. Sanders in a local public hotel lobby and the receipt of the email included in this letter, in response to my follow up to his request for me to call Ms. Patricia Thompson, and request a statement from her regarding what she knew about my case: that his mention to me in email referenced and copied below that "every thing you see ain't always how it is," has been identified.

I sent Ms. Thompson and Mr. Sanders this email as a contact per his hurried request following a phone call from Mr. Sanders, the day after the meeting:

Reply-To: "lkh" <lkh@enticy.org>  
From: "lkh" <lkh@enticy.org>  
To: <OnlyOnePatriciaT@aol.com>  
Cc: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>  
Subject: IMPORTANT FROM BILL SANDERS FOR YOU  
Date: Thu, 14 Aug 2003 14:16:02 -0400  
Organization: Enticy

MIME-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="-----=\_NextPart\_000\_2673\_01C3626E.9768AC90"  
X-Priority: 3  
X-MSMail-Priority: Normal  
X-Mailer: Microsoft Outlook Express 6.00.2800.1158  
Disposition-Notification-To: "lkh" <lkh@enticy.org>  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_2673\_01C3626E.9768AC90  
Content-Type: text/plain;  
charset="iso-8859-1"  
Content-Transfer-Encoding: quoted-printable

Good to hear you settled. Hope you are doing well.

If you remember, I wrote a supporting statement for your case to the =  
EEOC.

Now, Bill wants one from you in regards to my case.

I have copies of your letters to Martin talking about your knowledge  
of the 'out to get' me situation with Logan and others but this appears  
to be an additional request from Sanders.

He mentioned in his call to me today about your statement regarding  
things you were aware of in regards to the harrassment and retaliation  
being done against me.

Since all documents stand on their own from other sources I am unaware  
of why he needs your statement but he asked for it, so after telling him  
I have not had contact with you in a long time I said I would attempt  
to get contact established and receive a letter from you in regards to =  
my  
case.=20

Since you are familiar with all aspects of the case I presume he is =  
seeking  
a letter similar to the one I submitted for you but in regards to my =  
case.

He seemed a bit hurried on the phone so I did not go into additional  
specifics.

At your earliest convenience kindly send it to me in email and send a =  
copy  
thereof to Bill at his mailing address.=20

Bill told me yesterday that you had agreed to testify on my behalf =  
should  
my case go to court.=20

I look forward to receiving your letter as soon as possible.

All The Best

Lee

He was insistent that I attempt the contact even though he was informed there has been no contact with Ms. Thompson for many months.

I wrote Ms. Thompson in email and copied Mr. Sanders in email. I followed that with copies of Ms. Thompson's editing of my original EEOC complaint script and the emailed job reference Ms. Thompson had written for me and submitted to a local radio station owner, who was very impressed with Ms. Thompson when they met personally.

Mr. Sanders also requested contacts from me in the meeting that were sent to his email address. These people have knowledge of the case regarding the radio station. Mr. Sanders had agreed to download my recently published book so I provided the link to that in the email as well.

Reply-To: "lkh" <lkh@enticy.org>  
From: "lkh" <lkh@enticy.org>  
To: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>  
Subject: Contact info  
Date: Wed, 13 Aug 2003 14:53:00 -0400  
Organization: Enticy  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
          boundary="----=\_NextPart\_000\_1BAB\_01C361AA.97211C50"  
X-Priority: 3  
X-MSMail-Priority: Normal  
X-Mailer: Microsoft Outlook Express 6.00.2800.1158  
Disposition-Notification-To: "lkh" <lkh@enticy.org>  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_1BAB\_01C361AA.97211C50  
Content-Type: text/plain;  
          charset="iso-8859-1"  
Content-Transfer-Encoding: quoted-printable

Bill,

Here is the list of contacts. The direct link to my book is below.

Dan Williams Salesman 843-832-4868

Bobby Collins (Bob Spragg real name) Production Director 843-270-6822

Don Hallett, Consultant  
The Positioning Works  
5126 Glenaire Drive  
Dublin, OH 43017  
Office: 866-RADIO25

Fax: 866-RADIO27

Attorney contact: (Interviewed by him and reported in fax to him of = continued harrassment.)

ALLEN WILLIAM W ATTY=20  
201 W Short St  
Lexington, KY 40507  
office (859) 252-9000  
fax 859-233-4269

Ken French (I believe this is his access number and address as there is = only one Ken French in this town)

French K=20  
8 Town Park Ln=20  
Charleston SC =20  
(843) 795-7408 he has a cell phone but I don't know what it is..  
I have written to his email address (and it has not come back rejected = yet)  
so I'll let you know if a response is forthcoming on contact

Brain Book Available:

Announcing the publication of

The Brain Is A Wonderful Thing directly from

<http://64.176.52.217/ency/index.cgi?f=3Ddownload>

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Topics Defined: Consciousness, self-awareness, memory, motion,=20 emotions, common-sense, senses, perception, creativity, and many more. Plus, you will learn how you think, how it feels to think differently and how you can overcome depression and other conditions of the brain.=20

Specific explanations and discussion are provided for Alzheimer's, Sexual Preference, Dissociation, Dyslexia, and more with Chapter 12 devoted to children.

The book is free in download and read online versions.

As I was suspect of Mr. Sanders' intentions and motives for requesting such a document when he knew full well my file contained quite a bit referencing Ms. Thompson's knowledge of my case, I sent him two email documents from her.

The first one shows Ms. Thompson had critiqued and edited my filing with the EEOC



where the second one shows how Ms. Thompson offered an employment reference for me.

Reply-To: "lkh" <lkh@enticy.org>  
From: "lkh" <lkh@enticy.org>  
To: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>  
Subject: Fw: my eeoc complaint summary  
Date: Thu, 14 Aug 2003 14:28:52 -0400  
Organization: Enticy  
MIME-Version: 1.0  
Content-Type: text/plain;  
                charset="iso-8859-1"  
Content-Transfer-Encoding: 7bit  
X-Priority: 3  
X-MSMail-Priority: Normal  
X-Mailer: Microsoft Outlook Express 6.00.2800.1158  
Disposition-Notification-To: "lkh" <lkh@enticy.org>  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

to know how much Trish knew about the situation with me here is her recommendations for my initial complaint to be filed with your department... her comments are included..

looking for more

----- Original Message -----

From: <OnlyOnePatriciaT@aol.com>  
To: <leekent@comcast.net>  
Sent: Wednesday, August 28, 2002 3:24 PM  
Subject: Re: my eeoc complaint summary

> LK ... Suggestions and or corrections are indicated in blue or red below:  
> Looks good. LONG but good ... let's call it detail oriented ... ;o)  
>  
> Had to get some new shoes for my baby blue (T-Bird) on the front it started  
> shaking ... so I was out of the office until about 12:30 pm ... now I need to  
> do some work ... since I've been trying to work on this for you ... off and  
> on since I've been back ... ;o)  
>  
> In a message dated 8/28/2002 12:06:31 PM Eastern Daylight Time,  
> leekent@comcast.net writes:  
>  
> <<  
>  
> FORM 5 (Test 10/94)  
>  
>  
>

> Chare of Discrimination:  
> Charge of Discrimination:  
>  
>  
> [x] FEPA  
>  
> [x] EEOC  
>  
>  
>  
> Name: Lee Kent Hempfling  
>  
> Home Phone: 843-327-1996  
>  
> Street Address: 53 Muirfield Parkway, Charleston S.C. 29414  
>  
> DOB: 09/09/52  
>  
>  
>  
> Employer: L.M. Communications Inc.  
>  
> # Employees: 15+  
>  
> Phone: 843-769-4799  
>  
> Street Address: 59 Windemere Blvd. Charleston S.C. 29407  
>  
>  
>  
> Cause of Discrimination Based On:  
>  
> [x] Age  
>  
> [x] Religion  
>  
> [x] Retaliation  
>  
>  
>  
> The Particulars Are:  
>  
>  
>  
> I: I was subjected to discriminatory terms and conditions of  
> employment, harassed, denied employment, subjected to a hostile work  
> environment as it pertains to my religion, as well as a retaliatory  
> environment (instead of: religious and retaliatory work environment),  
> denied  
> employment by being discharged (instead of: and discharged) from my full  
> time position in (instead of because of) retaliation for my attempt to  
> offer  
> equal employment opportunities (instead of ability) by my desire to comply

> with the United States EEO policies as they pertain to the (instead of in)  
> hiring of minorities, in addition to complaining about the refusal of  
> management to consider minorities for full time positions and objecting to  
> and requesting management's intervention to stop harassment directed at me  
in  
> and out of the workplace (instead of and out of the workplace) which  
> "contributed to the hostile environment" experienced at work in violation  
of  
> Title VII of the Civil Rights Act of 1964, as amended.  
>  
> A: Retaliatory Actions, Hostility, Threatening,  
> Intimidating and Humiliating factors (instead of: Intimidation) I was  
> subjected to included:  
>  
> 1: Threatening emails while employed.  
>  
> 2: Threatening email after discharge.  
> I'd switch 2 & 3 around.  
> 3: Threatening anti-Semitic terrorist  
> photo sent in email.  
>  
> 4: Refusal to permit the carrying out  
of  
> my managerial position and work related (instead of job) responsibilities.  
>  
> I'd switch 5 & 6 around 5: Blame for lost commercial revenue.  
>  
> 6: Sabotage of work performed.  
> I'd combine 6 & 12: and of program elements for my morning show.  
>  
> 7: Public humiliation and character  
> assassination.  
> I'd delete 8 by incorporating it into #7 by adding:  
> by management to include in the presence of  
other  
> staff employees.  
> 8: Humiliation to staff by  
management.  
>  
> 9: Attempts to trick me into  
violating  
> corporate policy.  
> For # 9, I'd say: Attempts to manipulate me to violate verbal guidance  
> received from the owner and/or violate other federal policies.  
>  
> 10: Sabotage of transmitter power to  
> damage performance.  
>  
> 11: Sabotage of station audio  
processing  
> to damage performance.  
>  
> 12: Sabotage of program elements for my morning

show.

> I'd delet 12 and add to #6.

>

> 13: My wife and I (instead of: I AND my wife)

were

> ordered not to access any phone number in the

> Lexington KY area code.

>

> 14: Refusal by management to permit necessary work

> tools in order to accomplish required work specific tasks. Work tools

were

> supplied and/or made available (instead of: Supplied) after I was discharged.

>

> 15: Repeatedly referred to and called a liar.

> (instead of: Called a liar repeatedly.)

>

> 16: Insulted continuously behind my back.

> I'd delete 16 ... it's a part of #7 already.

>

> 17: Ignoring every instance reported by me of

> alleged illegal activity.

>

> 18: Receipt of edited audio music file obviously

> claiming responsibility for my discharge.

> I'd place this along with #3 after you make the switch btween # 2 and #3,

or

> make it the new #4.

>

> 19: Equipment was damaged.

> I'd delete #19 or add it to #'6 above.

>

> 20: Notices of unsafe working conditions were

ignored.

> I'd combine #20 with #17 using the verbage of #17 after the verbage of #20.

> i.e., additionally, reports of alleged illegal activity taking place in

the

> work environment went without investigation and/or ignored.

>

> 21: Music scheduling software was tampered with.

> I'd combine #21 with #6.

>

> 22: Attack continued after employment.

> Already stated in #2 above ... new #3

>

> 23: Retaliated against for continuously asking

for

> permission to hire a minority full time staff

member

> for my department in effort to maximize the

full

> potential of the Programming Department's on

air  
> staff in the quality of work performed and  
> professionalism required to increase the  
stations  
> ratings and enhance the public relations and  
imaging  
> of the station. (instead of: Penalized for  
wanting  
> to improve the midday show by  
> reducing the show to part time if I wanted to  
> replace the current staff member.)  
>  
> 24: Rumors and innuendos.  
> I'd combine #24 with #7  
>  
> 25: Threatened with legal action.  
>  
> 26: Refusal to repair equipment.  
> I'd place with #11 or #14.  
>  
>  
> 27: Replacing equipment with inferior parts.  
> I'd place with #11 or #14.  
>  
> 28: Hatred for 'black' music.  
> I'd be more specific ...  
>  
> 29: Branded a 'complainer'.  
> I'd combine #29 with #7  
>  
> 30: Intimidation of new employees before  
starting  
> date.  
> I'd combine #30 with #1  
>  
> 31: Software was deleted from production  
> equipment.  
> I'd combine #31 with #6  
>  
> 32: Given a broken 'boom box' to suffice for  
an  
> aircheck  
> machine.  
> I'd combine #32 with #6  
>  
> 33: Retaliation for stopping 'Plugola' on the  
> air.  
> I'd combine #33 with #17.  
>  
> 34: Continual reference to changing format.  
> I'd combine #34 with #28.  
>  
> 35: Phone call from engineer yelling about a

> memo I  
> was told to write asking for his help in  
> changing  
> microphones.  
> I'd combine #35 with # 7  
>  
> 36: Show prep stolen from my desk.  
> I'd combine #36 with #6  
>  
> 37: Equipment in my desk was damaged.  
> I'd combine #37 with #6  
>  
> 38: Given a non-working phone for my desk.  
> I'd combine #38 with #6  
>  
> 39: Ethics questioned.  
> I'd combine #39 with #4 and/or #15  
>  
> 40: Interruptions on the 'hotline' while  
doing  
> my show.  
> I'd combine #40 with #6  
>  
> 41: Tampering with the station's Legal ID  
> I'd combine #41 with #9 and/or #17  
>  
> 42: Given worst computer in the building for  
my  
> desk.  
> I'd combine #42 with #6  
>  
> 43: Degradation of my wife for having spoken  
to  
> Lynn Martin.  
> I'd combine #43 with #13 with the verbage already at 13 placed after the  
> beginning of the current #43.  
>  
> Don't forget to renumber ... ;o) Don't add anything else ... just  
renumber  
> ;o)  
>  
>  
>  
>  
>  
>  
> II: The reason I was given for discharge was "poor performance of  
> the station" however the Arbitron ratings results for the period in  
question  
> showed "significant gains" according to Mindy Spar, entertainment writer  
for  
> the Charleston Post & Courier. I tried repeatedly to hire a minority  
person  
> full time but was forced out of my employment for doing so.

>  
>  
>  
> III: I believe I have been discriminated against because of my  
> religion, Jewish, in retaliation for complaining about discrimination in  
> violation of Title VII of the Civil Rights Act of 1964, as amended.  
>  
>  
>  
> IV: At-Will employment does not apply as an implied contract was in  
> force.  
>  
>  
>  
> V: The company discriminates against Blacks as a class  
relative  
> to hiring, job assignments, wages, promotions, transfers, discipline and  
> discharge.  
>  
> VI. The company discriminates against those who object to such  
> actions and discriminates against those who attempt to comply with the  
United  
> States Equal Employment Opportunities rules, policies, and regulations or  
who  
> try to correct such violations and actions as they pertain to Title VII of  
> the Civil Rights Act of 1964, as amended.  
>  
>  
>  
>  
>  
>

And

Reply-To: "lkh" <lkh@enticy.org>  
From: "lkh" <lkh@enticy.org>  
To: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>  
Subject: Trish's reference for a job I was applying for  
Date: Thu, 14 Aug 2003 14:36:40 -0400  
Organization: Enticy  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="-----=\_NextPart\_000\_2EDA\_01C36271.793FD9C0"  
X-Priority: 3  
X-MSMail-Priority: Normal  
X-Mailer: Microsoft Outlook Express 6.00.2800.1158  
Disposition-Notification-To: "lkh" <lkh@enticy.org>  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_2EDA\_01C36271.793FD9C0

Content-Type: text/plain;  
charset="iso-8859-1"  
Content-Transfer-Encoding: quoted-printable

(Sent to the owner of MEGA100.9 new in town)

I think the same of Trish.

Ms. Aidoo,

First let me personally welcome you to the Charleston Radio Market.=20  
Welcome,  
it is a pleasure to have you here! ;o)

I have heard a great deal of wonderful things about you from Mr. Lee  
Kent,  
and his enthusiasim, insight and vision has reinspired my outlook on  
radio  
in the Charleston market.

I'd like to share a piece of my heart and mind with you in regard to Mr.  
Kent  
and pray that you give what I share with you your utmost consideration  
while  
you go through your decision making process in effort to bringing MEGA  
100 to  
its full on-air capacity.

First, and by far, Mr. Kent is a true and consummate professional. I  
hope  
you can appreciate when I state that, it's truly a breath of fresh air  
to be  
associated, in any endeavor, with such a professional of Mr. Kent's  
caliber.  
And, just as refreshing as it is, I'm sure you are aware that it's also  
very  
rare.

Mr. Kent's vision, coupled with his vast experience, knowledge and long  
time  
radio perspective is only surpassed by his work ethic, business  
knowledge,  
and managerial expertise.

Ms. Aidoo, I know I'm baking a six layer cake here, but the thoughts I  
possess of this man and that I graciously share with you, do not come  
from me  
lightly, I assure you.

However, when I think of all the wonderful things I could fill your eyes  
and  
ears up with in regard to Mr. Kent, if I had to just narrow it down to



one thing about Mr. Kent that strikes me the most, I would have to say it's his passion for people. And along with that comes integrity, honesty, trustworthiness, and relentlessness.

Need I say more, Ms. Aidoo? I certainly can and will if you'd like me to, but Mr. Kent is a man whose actions are enough to speak for his professionalism and character.

I pray that you will highly consider Mr. Kent for the position of General Manager with Caswell Communications, Inc., and allow him to manifest on your behalf, the behalf of the community, the Charleston market and beyond, and become a valued, regarded member of your team as you grow into the "MEGA" Millennium.

Hurry, before I purchase my own station (smile)!!!

Thank you for your time Ms. Aidoo. Take care.

Respectfully,

Patricia (Trish) Thompson  
Executive Administrative Assistant  
Millie Lewis International &  
The American Modeling & Talent Convention;  
Former Radio Announcer, Charleston Market

My wife and Ms. Thompson became what was purported to be good friends shortly after we arrived in Charleston as my wife did not know anyone in town and remained good friends with Ms. Thompson over the period Ms. Thompson was dealing with her case issues.

Ms. Thompson, later filed an EEOC complaint that has been allegedly settled, according to Mr. Sanders in the face-to-face meeting held in a local hotel.

I responded to Mr. Sanders' question if I had an attorney, by saying I did not have an 'attorney'; as I could not afford an attorney, and was surprised to hear Mr. Sanders announce I did not want a government attorney, saying repeatedly that he did not care if that comment came back to haunt him, to which after numerous statements to that effect, I agreed: as it would appear to me that a government attorney would be in it for the job and keeping one.

The day after that meeting, which cell phone and Knology home phone records will show, conversations were held with Mr. Sanders in an attempt to find the hotel that become an increasingly shorter distance apart, leading up to the time of the meeting. Records of that progression will be in both Mr. Sanders' phone and my phone accounts.

One of the first topics brought up by Mr. Sanders was the statement out of the blue that Ms. Thompson had settled her case.

After my congratulating her, the topic turned to his compassion for my suffering during the period the case refers to.

Throughout the entire conversation his method was of attempting to 'feel me out' as to how I would address the issues of my case. On first glance, that would be the job of an investigator and I gave him the benefit of the doubt in that issue and told him the exact situation.

In fact, I presented him with a time-line of documented incidents from the case referenced and a summary of the case. He was genuinely surprised I had been so prepared.

Those are included here for public record:

SUMMARY: August 13, 2003

EEOC Charge number: 140A201867 filed 8/29/2002, received by EEOC 9/4/2002.

Dates of discrimination inclusive from 2/1/2002 to discharge and 7/25/2002:

} Lee Kent Hempfling: vs.  
}  
} LM Communications Inc,  
} LM Communications of South Carolina Inc.,  
} LM Communications II of South Carolina Inc.,  
} All owners of stock in above companies,  
} Lynn Martin,  
} Charles Cohn,  
} Robert Brooks,  
} Michael Almond,  
} Bruce Musso,  
} Linda Grumbein, et al.

Adverse action took place throughout my employment with LM Communications for my attempt to hire a minority full time staff member. It started before I was hired with attempts to stop the hiring process through intimidation for not having a credit card and last minute reduction of authority, title and salary.

Agreement to accept position was partially predicated on immediate health insurance coverage, which took months of prodding to acquire.

It continued throughout the employment through email, letter and phone call intimidation, equipment destruction, sabotage of equipment and signal of the station to damage my ratings results and refusal to provide equipment, equipment repairs and refusal to approve all promotional presentations made, other than the first promotion offered. Immediately after my discharge ALL equipment needs were fulfilled and repairs were completed.

It escalated after being interviewed by the company attorney and owner for allegations made for violation of laws enforced by the EEOC.

It continued through the attempt to order me to violate a rule established by the owner for direct contact with the EEOC complainant.

It continued through prohibition of calling the area code for the main company office, which included prohibition

of my family members.

It continued through the use of external relationships to intimidate and threaten through email correspondence.

It continued through refusal to accept an application from an African-American female for a job position that was in the process of searching for a replacement by the General Manager.

It continued through refusal of management to allow me access to the company engineer.

It continued through false accusation of missing commercials during a computer break down period even after the production director informed the general manager that I was not responsible and was in fact the person who brought the issue to the attention of management.

It continued through threats of legal action against me from a former employee who was discharged yet remained in contact with the general manager.

It continued AFTER discharge with the receipt of a claim of responsibility from Bruce Musso including a photo and an audio file.

With continuous praise of job performance by the company consultant I was discharged with malice and in an attempt to hide the retaliatory motive for 'poor performance' of the station. The station has performed worse after I was discharged and continues to perform worse.

The retaliation was the result of malice and reckless indifference to my federally protected rights.

I am entitled to compensatory as well as punitive damages for illegal retaliation from

LM Communications Inv., LM Communications Of South Carolina Inc., LM Communications II of South Carolina Inc., the company attorney and the attorney's firm, the general manager of the station, and the individuals responsible for the retaliatory actions and those individuals used by the company and its employees to assist in the retaliatory actions.

I am further entitled to relief from the deliberate actions of the company to refuse prosecution of these claims through their repeated frivolous attempts to escape jurisdiction.

I am further entitled to the investigation of illegal activity by the FBI and the FCC for laws and regulations violated during the period of employment on behalf of or caused by the company and persons mentioned.

The FCC has ignored the charges filed.

The FBI ignored the charges until I called the field office where an agent refused investigation as the threat on my life was not 'current'. That reasoning would prohibit their investigation of any crime.

Retaliatory Motive:

To stop my participation in Patricia Thompson's complaint;

To eliminate my credibility in opposing illegal discrimination by the company;

To remove me from my position to stop my attempt to resolve such discrimination:

Specific EEOC Compliance Manual Details:

The Protected Employee:

(1) Protested repeatedly

(2) Answered questions of company attorney as assistance of discrimination investigation

(3) Asserted my rights under laws enforced by EEOC, even at first refusing to discuss the issues until granted, by the attorney, the judgment that discharge would not occur from being honest.

Retaliation Charge Asserts:

1. Opposition to discrimination or participation in covered proceedings;
2. An adverse employment action; and
3. A causal connection between the protected activity and the adverse action.

Protected From

1. Complaining to anyone about the alleged discrimination against oneself or others;
2. Refusing to obey an order because of a reasonable belief that it is discriminatory;

I was protected from retaliation, as I had a reasonable and good faith belief that the employment practices I was opposed to were illegal under anti-discrimination laws.

The "Participation Clause" covers me.

Adverse Employment Action:

I was subjected to:

Denial of job benefits as my health insurance that was to start immediately took months to acquire:

Discharge and threats as I was threatened repeatedly with outside legal action and received threats repeatedly including a terrorism inspired threat on my life:

Negative evaluation was provided as the reason for discharge without prior information:

Harassment was continuous as indicated by the time line of incidents.

Suspending access to internal grievance procedure, as I, and my family were forbidden to call the area code of, or contact the owner.

Any adverse treatment based upon retaliatory motive and reasonably likely to deter a charging party or others from engaging in protected activity is illegal.

Retaliation was the motive as:

1. Evidence raises an inference that retaliation was the cause of the challenged action;
2. The employer produces evidence of a legitimate, non-retaliatory reason for the challenged action; and
3. Complainant proves that the reason advanced by the respondent is a pretext to hide the retaliatory motive.

An "inference of retaliation", results from evidence that the adverse action occurred shortly after the protected activity, and the person who undertook the adverse action was aware of the individual's protected activity.

Company's explanation is a pretext to mask retaliatory action.

Poor job performance (performance of the station) was given as the reason for discharge without any prior indication of such insubordination (as well as being branded as a complainer) was cited numerous times for having raised objections to illegal activity.

According to the compliance manual the EEOC takes the position that all anti-discrimination laws provide for compensatory as well as punitive damages for illegal retaliation.

The retaliation was the result of malice and reckless indifference to my federally protected rights.

Doc No	Doc Date	Doc Title	Synopsis
187	10/1/2001	Hallett	Logs in to read Radio-Aid.Org
56	12/19/2001	Hallett	Already in the 'loop' don't apply
114	12/19/2001	Hallett	Cohn spends time at my resume web site
115	12/19/2001	Hallett	Allen places job ad for shift I was contacted about
116	12/19/2001	Hallett	Position pays 50K+ is OM TWO stations
117	12/19/2001	Hallett	First explanation of potential job.
55	12/26/2001	Hallett	a diverse air staff, leaning black'
104	1/3/2002	Hallett	In the finalists
75	1/4/2002	Hallett	Letter to references for Operations Manager
82	1/6/2002	Ron Jacobs	Copy of reference
106	1/14/2002	Hallett	Where do things stand with Cohn?
107	1/14/2002	Hallett	Survivor' promotion idea
24	1/16/2002	Cohn	Ready to make offer
13	1/16/2002	Hallett	Advising of hire meeting.
101	1/16/2002	Hallett	Interview set up
101	1/16/2002	Hallett	Offer to come tomorrow for job per Cohn's email
54	1/17/2002	Hallett	Not coming to interview
175	1/21/2002	Hire Date	Hire Logan full time (Cohn) effective 2/1/02
57	1/22/2002	Cohn	Call him
53	1/23/2002	Hallett	I don't have credit cards causes a 'concern'?
81	1/23/2002	Hallett	Concern about way hire was handled
95	1/23/2002	Hallett	Issue was pay for trip not credit cards
95	1/23/2002	Hallett	What is the problem with frugal?
52	1/28/2002	Hallett	Congratulations on job.
99	1/28/2002	Hallett	Trip underway soon
175	2/1/2002	Payroll Authorization	Hire Logan full time (Cohn) 1/21/02 for 2/1/02
80	2/6/2002	Hallett Cohn	Copy of meeting synopsis sent in email
16	2/7/2002	Meeting Synopsis	First air staff meeting synopsis
156	2/8/2002	Memo	Voice tracking detailed memo
12	2/9/2002	Hallett	First mention of Thompson doing good work.
79	2/9/2002	Hallett	No building key for morning man
143	2/9/2002	Hallett	Tread lightly
12	2/9/2002		Hallett wants airchecks
12	2/9/2002		Trish sounding good
11	2/10/2002	Hallett	First mention of Thompson as potential hire.
96	2/12/2002	Hallett	Hunt is backup in case 'Skip' can't do the job
72	2/14/2002	Hallett	First day on air report
159	2/20/2002	Format Rules	Everyone was to adhere to. Known.
10	2/20/2002	Hallett	About Musso taking Cool Computer
51	2/20/2002	Hallett	Digging with Charlie on OM Position

68	2/20/2002	Hallett	Is Mike OM?
100	2/20/2002	Hallett	Format execution rules posted.
100	2/20/2002	Hallett	Update of events
134	2/20/2002	Memo	To Cohn, Sprinkle resignation
10	2/20/2002		At a loss for intimidation
10	2/20/2002		My computer taken
49	2/24/2002	Hallett	Real Life Survivor Promotion
50	2/24/2002	Hallett	Cool Kids Promotion
102	2/24/2002	Hallett	Musso acting tough and demeaning
181	2/25/2002	Dr Note	Skip work restrictions
158	2/28/2002	Memo	Programming things
163	2/28/2002	Trish Thompson	Resignation letter
8	3/2/2002	Hallett	feel your pain' about engineer
65	3/2/2002	Hallett	No memo on Musso
66	3/2/2002	Hallett	Hotline attack, production sabotage
66	3/2/2002		Advised management of serious fire hazard
66	3/2/2002		Airchecks wanted
66	3/2/2002		Batteries ruined in my desk
66	3/2/2002		Dead roll in spots
66	3/2/2002		Identification of bad on air sound quality
66	3/2/2002		Jocks Such put on computer terminal
66	3/2/2002		Musso says not responsible for dead transmitter
66	3/2/2002		No direct contact permitted to Musso
66	3/2/2002		No idea why
35	3/3/2002	Hallett	Response to my letter of concern "don't lose passion"
105	3/3/2002	Hallett	Santa Claus music sabatoge
34	3/4/2002	Hallett	Told to copy Martin and Cohn on everything
166	3/5/2002	Complaint letter	From friend of Linda Logan
166	3/5/2002	Complaint letter	Shown to 'sales' before I saw it.
33	3/6/2002	Hallett	Compliments
183	3/6/2002	Hand Notes	Cohn does not like Cool format
183	3/6/2002	Hand Notes	Cohn suggests midday person from Citadel
183	3/6/2002	Hand Notes	Linda meeting 9:40AM on complaint critique
32	3/7/2002	Hallett	One day notice of Martin meeting.
71	3/7/2002	Hallett	Unable to meet Martin for High Blood Pres DR appt.
172	3/7/2002	Memo	Weekend clocks
173	3/7/2002	Memo	Remotes Policy Memo
7	3/8/2002	Hallett	Response to his 'break down the walls'
47	3/8/2002	Hallett	Let lieing dogs lay in their own crap'
48	3/8/2002	Hallett	"Tough days ahead"
87	3/8/2002	Hallett	I will never lie.. Or abuse right to work here.'
87	3/8/2002	Hallett	Musso's temporary replacement
88	3/8/2002	Hallett	Character ethics questioned
88	3/8/2002	Hallett	Wife calls Logan: in letter to Hallett
89	3/8/2002	Hallett	Break down the walls
89	3/8/2002	Hallett	Tough days ahead'.
90	3/8/2002	Hallett	Approved Majhor salary
90	3/8/2002	Hallett	Bruce hangs up, Bruce objects to memo
90	3/8/2002	Hallett	Logan complains about getting critique
90	3/8/2002	Hallett	Martin tells meeting "if not work, fire them"
90	3/8/2002	Hallett	Musso calls at my home to yell about memo
90	3/8/2002	Hallett	Musso quits
90	3/8/2002	Hallett	Sales knows about complaint letter
90	3/8/2002	Hallett	Show prep stolen
90	3/8/2002	Hallett	Wall hanger smashed in my office

142	3/8/2002	Hallett	Break down the walls
131	3/8/2002	Skip St. John	"I can see nothing you have done differently"
131	3/8/2002	Skip St. John	Complains no rules posted. Yes they were.
131	3/8/2002	Skip St. John	Complaint letter about his critique.
131	3/8/2002	Skip St. John	Not driving company vehicle : Cohn order
131	3/8/2002	Skip St. John	St. John demands equal remote time w/ Logan
7	3/8/2002		Hallett: break down walls
7	3/8/2002		Logan calling Collins about rumors
7	3/8/2002		Wife calls Logan to calm her down.. Rejected
48	3/8/2002		Break Down Walls
6	3/9/2002	Majhor	Shows date of changing leekent.com
168	3/9/2002	Trish Thompson	alleges Clique association with Cohn
168	3/9/2002	Trish Thompson	Lee has become aware of obvious activities
168	3/9/2002	Trish Thompson	Letter to Martin
168	3/9/2002	Trish Thompson	Logan calls Kent "Fucking asshole" in public
168	3/9/2002	Trish Thompson	No sales African-Americans
168	3/9/2002	Trish Thompson	Not afforded equal opportunity
168	3/9/2002	Trish Thompson	Notice that EEOC was being considered.
168	3/9/2002	Trish Thompson	Only African-American female on air
168	3/9/2002	Trish Thompson	Passed up for position held by Logan
6	3/9/2002		New LK site
92	3/10/2002	Hallett	Complaints lodged against me for fixing things
92	3/10/2002	Hallett	Demand removal of problem employees
92	3/10/2002	Hallett	Group out to get me out
92	3/10/2002	Hallett	Not permit them to drive me out of station
92	3/10/2002	Hallett	Thompson calls about Logan comments public
144	3/10/2002	Logan Memo	A critique constitutes harrassment?
144	3/10/2002	Logan Memo	Complaint letter from logan critique
144	3/10/2002	Logan Memo	Demands letter of retraction for critique
144	3/10/2002	Logan Memo	Worked for station over 2 years" (Not true)
124	3/11/2002	Email complaint	Complaint about Kent (MUSC)
169	3/11/2002	Email Contact Form	Compliment
5	3/11/2002	Hallett	Reference Logan threat
43	3/11/2002	Hallett	"Its's been tough"
44	3/11/2002	Hallett	Try to get aircheck machine and ...
45	3/11/2002	Hallett	Charlie will oust her"
46	3/11/2002	Hallett	Request for Logan aircheck and response
64	3/11/2002	Hallett	Musso destroys morning show
86	3/11/2002	Hallett	Cohn tears up critique letter
86	3/11/2002	Hallett	Don't put anything in writing :Cohn
86	3/11/2002	Hallett	Still No med ins papers, high blood pressure
5	3/11/2002		Blood pressure mentioned
155	3/13/2002	Email	You suck
174	3/13/2002	Email	Musso 'you suck'
122	3/13/2002	Email	Real radio to Charleston
149	3/15/2002	Email	Best wishes on the new job, Yasser! (life threat)
149	3/15/2002	Email	Mr. Morning Dick Jockey
149	3/15/2002	Email	This man would love to kiss yo cheeks!
149	3/15/2002	Email	Threatening terrorist photo 'best wishes on job'
152	3/15/2002	Email	Musso 'dream on' don't post address
153	3/15/2002	Email	Musso signs "Bruce Mussolina"
154	3/15/2002	Email	Musso you still suck
25	3/16/2002	Cohn	Ignore Musso too dangerous (mgt refuses)
26	3/16/2002	Cohn	Musso: What has he written now?
146	3/16/2002	Email	Ignore anything he may send. (mgt refuses)

146	3/16/2002	Email	Ignore Musso too dangerous (mgt refuses)
146	3/16/2002	Email	Imagine him doing something to Cool TXMTR?
146	3/16/2002	Email	Musso capable of doing strange things (mgt refuses)
147	3/16/2002	Email	Finished as soon as get replacement
147	3/16/2002	Email	Please save emails he is litigious
147	3/16/2002	Email	What has he written now?
26	3/16/2002		Cohn wants musso emails
125	3/17/2002	Hit Tracking	Musso identified: visits site 5:17PM
91	3/18/2002	Hallett	Advising I will not go against Martin
91	3/18/2002	Hallett	Will not do order it goes against Martin's order
176	3/18/2002	Thompson	Martin letter.
108	3/19/2002	Hallett	Aircheck machine "not a priority" I am told
108	3/19/2002	Hallett	call it home if we're allowed to stay
108	3/19/2002	Hallett	Why was logan ad done behind my back?
140	3/19/2002	Hallett	Aircheck sounds good Found a home Mr. Kent
119	3/19/2002	Hallett	(Home made) Aircheck sounds great.
119	3/19/2002	Hallett	Found a home Mr. Kent"
125	3/19/2002	Hit Tracking	Musso's friend computer visits site 2 days later
180	3/19/2002	Mike Memo	To Musso engineering
126	3/19/2002	New Engineer	Contacted (comments)
4	3/19/2002	To Majhor	Asking for advice
4	3/19/2002		Ordered to call Thompson (Martin said no)
30	3/20/2002	Cohn	Private meeting 'contact Trish'
123	3/20/2002	Email Contact Form	Compliment again
67	3/20/2002	Hallett	Stop doing such a good job.
30	3/20/2002	Majhor	Going to answer for Trish sooner or later
161	3/21/2002	Fax Cover Sheet Martin	Charleston's Promise connection
161	3/21/2002	Fax Cover Sheet Martin	Do not believe her motivation is money.
161	3/21/2002	Fax Cover Sheet Martin	Had high hopes for Trish.
161	3/21/2002	Fax Cover Sheet Martin	Original
161	3/21/2002	Fax Cover Sheet Martin	Sending Thompson's resignation letter
161	3/21/2002	Fax Cover Sheet Martin	Station needs community connection.
160	3/21/2002	Fax receipt	Successful receipt by Martin
17	3/21/2002	Fax To Martin	Cover sheet about 'Trish' letter.
3	3/23/2002	Cohn, Hallett	Begging to have harrassment stopped.
145	3/23/2002	Email	"Why are you still here"
145	3/23/2002	Email	Headers and mail you still suck with visit
148	3/23/2002	Email Contact Form	Musso contact (forwarded paper trail)
162	3/23/2002	Fax cover sheet lawyer	Copies of intimidation demanded atty get it stopped
162	3/23/2002	Fax cover sheet lawyer	Copies of Musso threatening emails to Atty
162	3/23/2002	Fax cover sheet lawyer	Has not stopped it 'fear' of Musso?
162	3/23/2002	Fax cover sheet lawyer	How long is this going to be permitted?
162	3/23/2002	Fax cover sheet lawyer	I am tired of being bullied to get me to leave.
162	3/23/2002	Fax cover sheet lawyer	I expect something will be done to stop this
162	3/23/2002	Fax cover sheet lawyer	Logan upset then Musso letter.
162	3/23/2002	Fax cover sheet lawyer	Management asked to stop it
125	3/23/2002	Hit Tracking	Musso visits site
29	3/23/2002	Majhor	List of Musso attack mail.
164	3/23/2002	Virus Email	Sent from 'Broadcast Engineer'
3	3/23/2002		Enough get psycho off back
151	3/25/2002	Email forward	looks like a threat to me (wife concerned)
150	3/25/2002	Email name	Source of photo mail (Musso friend, engineer)
15	3/25/2002	Hallett Call Notes	checking if I had talked to 'Trish'
28	3/26/2002	Majhor	Martin wants him to stay before hiring, setup
28	3/26/2002		Martin: getting to the bottom of it



28	3/26/2002	Martin: Not going anywhere
62	3/27/2002	Lynn Martin His email sends email to mine.
83	3/28/2002	Hallett Plugola-Payola compliance
84	3/28/2002	Hallett I find no plugola-payola forms
85	3/28/2002	Hallett Plugola problems
27	3/30/2002	Cohn Stops promotions, rejects plans
60	4/3/2002	Bobby Collins Dwight weekend incident with Logan
61	4/3/2002	Bobby Collins Trish 'attacked' by Logan
2	4/3/2002	Martin, Hallett, Cohn Forward letter from Bobby Collins.
2	4/3/2002	Lane catches Logan tampering in CR
2	4/3/2002	Logan verbally attacks Thompson
2	4/3/2002	Logan voice tracks placed without code
23	4/6/2002	Email To Majhor From Musso
133	4/8/2002	Memo In studio voice tracking rules memo
103	4/15/2002	Hallett Article about Logan attempted in paper
103	4/15/2002	Hallett Bruce tyrade, 'problem child' situation
103	4/15/2002	Hallett Friend of St.John complains about prizes of his
103	4/15/2002	Hallett Lunch with French
103	4/15/2002	Hallett Trying to push sales for promotions submitted
103	4/15/2002	Hallett VT with receptionist not going to work Middays
103	4/15/2002	Hallett Who am I supposed to report to?
103	4/15/2002	Hallett Why was Logan hired full time before I got here?
37	4/16/2002	Hallett Being a shoulder
38	4/16/2002	Hallett Terms agreed to a midday hire
39	4/16/2002	Hallett All I wanted was to know the chain of command
40	4/16/2002	Hallett Not aware Logan was hired February full time
41	4/16/2002	Hallett Protecting station gets me accused of whining
42	4/16/2002	Hallett Don't let anyone 'hijack the bus'.
38	4/16/2002	Trish case holding everything up
39	4/16/2002	Find Logan hire payroll authorization record
39	4/16/2002	French takes me to lunch
39	4/16/2002	Hallett: not aware of Logan hire
39	4/16/2002	Hallett: suggests co-O.M.
41	4/16/2002	Hallett: You are jealous?
130	4/22/2002	Bobby Collins Memo original
127	4/22/2002	Copy memo Extra hand note to Logan
121	4/22/2002	Production Memo Collins on Logan
59	4/23/2002	Bobby Collins Logan complaint
129	4/23/2002	Bobby Collins Lee not long for the station.
129	4/23/2002	Bobby Collins Musso and Logan in studio bad mouthing
1	4/23/2002	Lynn Martin Advised Demanding stop of harrassment.
1	4/23/2002	Cool edit pro tampered with files destroyed
1	4/23/2002	Demand stop of harrassment
1	4/23/2002	Denise Moseley scared for her job being black
1	4/23/2002	Logan complains about Collins memo
1	4/23/2002	Logan in production room at cool edit time
1	4/23/2002	Logan say Kent not long for the station
1	4/23/2002	Martin advised of harrassment again
1	4/23/2002	Notice of 'drug's information not followed up
1	4/23/2002	Station on back up transmitter
4	4/23/2002	What do I do?
59	4/23/2002	Friction in workplace
76	4/26/2002	Hallett Cohn says decision on Logan
76	4/26/2002	Lost midday as full time if to be replaced
36	4/27/2002	Hallett Cohn: Happen soon on Logan

113 5/1/2002Hallett Skip aircheck on my own time at home  
132 5/2/2002ARBITRON Advising of low power condition for ratings.  
110 5/2/2002Hallett About lower power status and objections of Cohn  
110 5/2/2002Hallett accused of not being 'focused' (all I am)  
110 5/2/2002Hallett being a former cop is the problem?...  
110 5/2/2002Hallett calls from listeners unable to pick up mornings  
110 5/2/2002Hallett Cohn says beauty shop 50 miles away  
110 5/2/2002Hallett Did not know primary was bad  
110 5/2/2002Hallett doing ABSOLUTELY NOTHING WRONG  
110 5/2/2002Hallett French tells of Logan going off about Thompson  
110 5/2/2002Hallett He (Cohn) wants me out.  
110 5/2/2002Hallett I can't talk to Thompson Martin said no.  
110 5/2/2002Hallett I know I don't matter  
110 5/2/2002Hallett I'm not leaving.  
110 5/2/2002Hallett Insulted every single day.  
110 5/2/2002Hallett Its making me literally sick  
110 5/2/2002Hallett Last week call from beauty shop (can't hear)  
110 5/2/2002Hallett Linda advises 35-50% of power  
110 5/2/2002Hallett Not permitted to call Lexington area code (or wife)  
110 5/2/2002Hallett Not permitted to talk to Martin  
110 5/2/2002Hallett Tell 'Pam' I didn't dump this load.  
110 5/2/2002Hallett They are going to get rid of me.  
110 5/2/2002Hallett Trish only one I know of that loves the station  
110 5/2/2002Hallett Unable to hear morning show 2 miles away  
110 5/2/2002Hallett watch back more than watch music  
110 5/2/2002Hallett when and how is job going to be destroyed?  
110 5/2/2002Hallett YES DAMMIT I WANT A BLACK FEMALE TALENT  
111 5/2/2002Hallett Finally back full power today  
111 5/2/2002Hallett How to do aircheck machine for less  
111 5/2/2002Hallett Still no aircheck machine  
112 5/2/2002Hallett All promotions died on the vine.  
112 5/2/2002Hallett building station site on my own time  
112 5/2/2002Hallett May buy domain name myself to get it done.(did)  
112 5/2/2002Hallett Prefer aircheck machine over website  
109 5/3/2002Hallett Cool down in power Logan gets publicity  
35 5/3/2002 Hallett: any cuts mean TPW not me  
35 5/3/2002 Hallett: Are doing the job  
35 5/3/2002 Hallett: Future looks great for me  
35 5/3/2002 Hallett: Get out from under rock  
35 5/3/2002 Hallett: Management style  
35 5/3/2002 Hallett: maybe an engineer or two  
35 5/3/2002 Hallett: No one out to get me  
35 5/3/2002 Hallett: Wrongful firing all accountable  
74 5/4/2002Hallett No contact provided for Cohn  
22 5/6/2002Summary of meeting Cohn and French intimidate with law suit threat  
22 5/6/2002 Cohn cancels business cards  
22 5/6/2002 Cohn prohibits internet for Cool  
22 5/6/2002 Cohn says I'm being sued  
22 5/6/2002 French confronts Cohn  
21 5/7/2002Ratings Evaluation Not addressed by Cohn  
21 5/7/2002 Call for serving the black core audience  
135 5/16/2002 Hand Memo Thompson, Martin said to submit application  
73 5/17/2002 Hallett Thompson applies for job.  
58 5/21/2002 Bobby Collins DCS freezes up.  
184 6/4/2002Hand Notes Cohn Meeting: No Trish

63	6/9/2002	Hallett	List of problems
31	6/10/2002	Hallett	To Hallett I've been 'stymied'
93	6/10/2002	Hallett	Both stations severe transmission problems
93	6/10/2002	Hallett	Commit to any format the owner wants
93	6/10/2002	Hallett	R&B Festival 8000 people for Cool
93	6/10/2002	Hallett	Trying to stop format change
31	6/10/2002		98 Rock temperature inversion
31	6/10/2002		Allen tells Musso to answer his phone
31	6/10/2002		Branded a complainer
31	6/10/2002		Bullshit going to stop
31	6/10/2002		Bully threat to use gun
31	6/10/2002		Cohn recommends part timer
31	6/10/2002		Cohn says "take musso to coffee"
31	6/10/2002		Considering restraining order
31	6/10/2002		French questions why I am quiet
31	6/10/2002		Hallett: buck stops here and now
31	6/10/2002		Hallett: Cohn always talks format change
31	6/10/2002		Hallett: complains no A-B tape
31	6/10/2002		Hallett: 'give me a break'
31	6/10/2002		Hallett: You've been 'stymied'
31	6/10/2002		Hostile, abusive working environment
31	6/10/2002		It's a viper snake pit
31	6/10/2002		Logan: Musso brags about low power
31	6/10/2002		Logan's husband's phone call
31	6/10/2002		Musso conducts weekend tour
31	6/10/2002		Musso installs defective microphone
31	6/10/2002		Musso refuses to fix phone system
31	6/10/2002		Musso threat to shoot cool transmitter
31	6/10/2002		Musso threatens legal action against me
31	6/10/2002		Musso, Logan "horrible Kent"
31	6/10/2002		Sound quality complaint
31	6/10/2002		Told NOT to hire Thompson
120	6/13/2002	To Logan Memo	Letter of Warning for instigating divisive problems
167	6/16/2002	Musso Memo	Refusal to deal with me or staff with engineering
78	6/18/2002	Cohn Hallett	Cohn slips in Thompson replacement suggestion
118	6/21/2002	Memo	Memo do not talk to engineer
118	6/21/2002	Memo	Not permitted to talk to engineer
190	6/21/2002	Visit Message	Aretta Jenkins wants job (Cohn says no openings)
97	7/2/2002	Hallett	Suggests I submit proposal to increase revenue
98	7/2/2002	Hallett	Suggestion letter run past Hallett
171	7/3/2002	Memo	Offering revenue plan to Cohn, Bob
77	7/4/2002	Hallett	About Musso sabotaging microphone
94	7/4/2002	Hallett	branded the complainer.. Why not again
94	7/4/2002	Hallett	Musso removes microphone
191	7/8/2002	Commercials missed	I mention it, I get blamed, I didn't do anything.
9	7/8/2002	Dwight Landon	Complaint letter on Musso
170	7/9/2002	Dwight Landon	Complaint of Musso incident on weekend
141	7/9/2002	Hallett	I admire your take and detailed work
141	7/9/2002	Hallett	Response to ratings trends
141	7/9/2002	Hallett	tracking Cool with current cume is really hard
	7/15/2002		Week of Blamed for missed commercials
	7/15/2002		Week of Brooks yells at me for not managing staff on spots
69	7/23/2002	Hallett	Final day events
70	7/23/2002	Hallett	I got fired
185	7/23/2002	Hand Notes	Cohn announces to sales Cool marketing plan

185	7/23/2002	Hand Notes	Cohn: fired not happy with performance of station
185	7/23/2002	Hand Notes	Last day Sales meeting
189	7/24/2002		in FBI Complaint Email photo Kent Victim of Musso Madness
189	7/24/2002		in FBI Complaint FCC Complaint of low power and violations
176	7/26/2002	Me	Logan was aware of my firing on previous Friday
176	7/26/2002	Me	My letter to Martin after firing.
176	8/1/2002	Patricia Thompson	EEOC Complaint. Contains #175
14	8/1/2002	Personal Notes	Cohn learns about my filing.
20	8/2/2002	Majhor	Comment regarding his 'attitude'
14	8/2/2002		Bob says What do we do if Lee does this.
18	8/12/2002	Email Martin, Cohn	Legal request for personnel file contents. Ignored.
186	8/13/2002	FBI Complaint	Entire complaint
138	8/27/2002	EEOC	Introduction of original complaint.
177	8/29/2002	Lee Hempfling EEOC	Charge of Discrimination
178	10/17/2002	EEOC	Confirmation
76	4/26/2003		Denise Moseley to try on air fist time
139	law	At Will Condition	Examination of At Will Implied Contract
139	law	At Will Condition	Implied contract of 'till retirement' employment
128	past	Copy of Hallett Critique	Skip in Hallett's words
179	undated	Hand Memo	Jessica Mickey missing voice tracks
137	undated	Hand Notes	"just about gotten rid of everyone you wanted to"
137	undated	Hand Notes	Another attempt to get Lee out.
137	undated	Hand Notes	I had no idea about the call
137	undated	Hand Notes	Logan "beat her ass for trying to get my job"
137	undated	Hand Notes	Logan sexual innuendo complaint
137	undated	Hand Notes	Notes from call to Martin by my wife.
137	undated	Hand Notes	Threatening emails from Musso
137	undated	Hand Notes	Why 'heavy handed memo' to Logan?
188	undated	map	Contour map for WCOO
136	undated	Promisory note	Non dated agreement shows 3 year term
182	undated	Sales Pitch	Promotion attempt (only one I was aware of)
157	undated	Schedule	Weekend after Thompson left station

The above documents were created to show the progression of the first retaliation claim, the one against the radio station ownership.

Mr. Sanders knows, that a great deal of the documents in my case are: email correspondence, and he undoubtedly believes that they cannot be traced to the source of the document and is either unaware or disrespectful of the recent court acceptance of email headers and body from the original received document.

When he called me the day after the private meeting to tell me quite directly that I 'needed' to contact Ms. Thompson and get a statement from her about my case: I knew he either demanded because he knew a letter was coming from Ms. Thompson, (mother of Moe Thompson, the Gamecock's football player) or he demanded because he desperately needed a letter from Ms. Thompson; and either way would need a record of my asking for it, either for evidence to prove she had not violated her settlement agreement in responding to a logical request or for another email situation that Ms. Thompson could deny ever receiving or would never know about.

If she denied ever having email correspondence with me and my wife in numerous separate email accounts, personal visits to our home where the cat dander bothered her, and holiday and friendship cards exchanged with my wife, then the account of the events leading up to my illegal discharge for retaliation in attempting to hire an African American female full time with the radio station would have been turned to make it appear, as if I was the one who was trying to keep from hiring her and the radio

station was a knight in shining armor for getting rid of the 'harasser' as Mr. Sanders puts it in his email to me of this date.

As is documented in my case files, not of the email variety, Ms. Thompson highly praised me in her letter of resignation to the owner of the radio station. It is my assumption that both Mr. Sanders and Mr. Martin (Lynn Martin, owner of L.M. Communications companies) must be under the impression that since Ms. Thompson's case is supposed to be settled, the documents within her case are sealed.

Those very same documents are contained in my case filing with the EEOC. Ms. Thompson included quite a few emails from my document collection as part of her filing with the EEOC. I have a copy of her EEOC filing provided to me, in bound form by Ms. Thompson.

If the federal judges in South Carolina uphold their pledge to release sealed cases Ms. Thompson's case would be opened and within that case would possibly be a statement from Ms. Thompson about my case and implicating me in the topics Mr. Sanders referred to in his email letter of this date.

Return-Path: <BILLY.SANDERS@EEOC.GOV>  
Delivered-To: iggit@knology.net  
Received: (gmail 5013 invoked from network); 20 Aug 2003 16:40:04 -0000  
Received: from unknown (HELO iris2.directnic.com) (204.251.10.82)  
by spamlite4.knology.net with SMTP; 20 Aug 2003 16:40:04 -0000  
Received: by iris2.directnic.com (iris/0.98:relay); 20 Aug 2003 16:40:06 +0000  
Forwarded-By: lkh@enticy.org  
Received: by iris2.directnic.com (iris/0.98:470161); 20 Aug 2003 16:40:06 +0000  
Received: from [64.35.224.3] (EHLO HQF2.eeoc.gov) (64.35.224.3)  
by iris2.directnic.com (iris/0.98:470161) with ESMTP  
id 470161 for lkh@enticy.org; 20 Aug 2003 16:40:06 +0000  
Return-Path: BILLY.SANDERS@EEOC.GOV  
Received: from HEADQUARTERS-MTA by HQF2.eeoc.gov  
with Novell\_GroupWise; Wed, 20 Aug 2003 12:39:42 -0500  
Message-Id: <sf436c0e.018@HQF2.eeoc.gov>  
X-Mailer: Novell GroupWise Internet Agent 6.5.0  
Date: Wed, 20 Aug 2003 12:41:19 -0500  
From: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>  
To: <lkh@enticy.org>  
Subject: Re: Good morning  
Mime-Version: 1.0  
Content-Type: multipart/alternative; boundary="=\_E8B6994E.EB8ADD29"

This is a MIME message. If you are reading this text, you may want to consider changing to a mail reader or gateway that understands how to properly handle MIME multipart messages.

--=\_E8B6994E.EB8ADD29  
Content-Type: text/plain; charset=US-ASCII  
Content-Transfer-Encoding: 7bit

Does not work that way. In fact, the documents in her file don't mention you in a positive way because she feels you were part of her problem and did not go to bat for her for a full time job so you will need a statement from her to support some of your case. RE: Harassment you need

to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info. But we will cross them bridges when we get to them. I am waiting to hear from their attorney re the Fact Finding Conference. I will be leaving the office shortly and will not be back until next Wednesday so if you need me you can call me on my cell @ (704) 564-9464.  
C U Later

By settling Ms. Thompson's case, two problems were to go away for Mr. Sanders.

1: His connection with the NAACP, of which I have copies of emails, supplied by Ms. Thompson referring to and from The Reverend Joseph Darby: the current President of the South Carolina NAACP and candidate for Presidency of the National NAACP, wherein The Reverend Darby, was contacted by Ms. Thompson in regards to her case. During that discussion, Ms. Thompson's emails will show that the result was acquisition of a backdoor entrance into the EEOC.

The email correspondence from Ms. Thompson would further show that my case was mentioned in that meeting and Mr. Sanders was mentioned in numerous emails, including some forwarded emails from Mr. Sanders that detail the knowledge of Mr. Sanders that the connection of the NAACP to the case being under his guidance was a direct result of the backdoor entrance the state NAACP President and or Vice-President has with the EEOC.

I have emails from Mr. Sanders where my reference to The Reverend Darby were included in responses but never addressed. Neither was my specific request for his supervisor's name and contact information ever addressed.

The case I filed with the EEOC was never handled properly.

There was no point in time where Mr. Sanders acted on the behalf of justice or law.

There was no point in time, from the initial contact I had with Mr. Sanders, where upon calling his office I was abruptly ushered off of the phone, as he had no time for me, till now that Mr. Sanders has acted any differently towards this case.

The only time Mr. Sanders acted differently to me was in the phone conversations immediately after your office had submitted my initial 4, August 2003 letter requesting your assistance, when his attitude changed from what it had always been, to what had to be either defensive or offensive friendliness.

Friendly so much, in fact, that in the hotel lobby, just as we met, Mr. Sanders, who happened to be at a 'conference' at that hotel in Charleston just the week after he was informed of my first complaint, greeted me with a large bear hug, much to my amazement.

This was the reaction I received from the man who had just been told through the EEOC Directorate that I had filed a complaint against him with a United States Senator. I had informed your assistant, Ms. Price that there was a connection in this case to a prominent Charleston area Reverend. That comment was left out of the complaint to you, since I was not sure if my case was a victim of racial bigotry by the NAACP and the EEOC at that time.

The face-to-face meeting in the hotel lobby said a great deal to that issue.

Not once did I raise the topic of the NAACP, and had no intention of doing so: the possibility existed that Mr. Sanders was simply swamped with work and mine had fallen through the cracks.

It was not until near the end of the conversation that Mr. Sanders abruptly stated, without being part of any topic being discussed, that the way the NAACP connection went down was that: **Ms. Thompson**

**asked Reverend Darby for help, he recommended the EEOC where she filed a complaint, and Mr. Sanders had asked her if there was anyone else with a similar problem and she recommended me, then Mr. Sanders is supposed to then have requested my case information as well.**

That is a lie.

There was a pause from me after that story became center focus for no other reason than the reaction I was expected to display.

My reaction was a cautious, curious and inquisitive ok?!?

I knew he had just told me what the story was going to be whether I liked it or not.

It would be either the story that was told to cover the NAACP and EEOC illegal collusion or the connection the Reverend Darby has with the 'EEOC's backdoor' as stated in Ms. Thompson's emails is not as it is written to be.

There was never an intention for the EEOC to do anything with my case, as the connection that made the cases to be filed at all must have only supported the African American complainant.

Throughout the case time line after filing, Mr. Sanders has repeatedly (emails with headers from U.S. Government email servers) attempted to ignore the case, ignore my attempts to have the case investigated, canceled a fact-finding meeting for a supposed trip to Washington, urged me to accept a letter of authorization from the EEOC to have that action release him from any performance requirements: in fact, when my case was filed with the EEOC I did not receive a confirmation for that filing, as it was handled directly by Billy Sanders, until I requested one a month later.

That is not the beginning of the racial discrimination against me in this atrocity of justice.

The beginning was either when The Reverend Darby saw the graphic image sent to me as part of the intimidation I was being subjected to at the radio station for attempting to support the case of a violation of Title 7 of the Equal Employment Opportunities Act, where in my actions were protected from retaliation: to wit: an image of Yassar Arafat on a billboard with two Terrorist gunmen holding AK-47's standing before it and the inscription being that 'Mr. Dick Jocky, these guys would love to kiss yo cheeks!'.

The Reverend Darby became aware in Ms. Thompson's meeting with him that I was offended by that image not just because it was a threat on my life, but because I am Jewish and it was so close after 9-11 to have a terrorist image emailed to my home by a minion of the radio station general manager.

Or it was after that, when the case left The Reverend Darby's office and was handed to Dwight James, the Vice-President of the South Carolina Chapter of the NAACP through an email from Reverend Darby and then to Bill Sanders of the EEOC. I would prefer to believe the Reverend Darby to be more of a person than that. I tend to believe Mr. Sanders, who has now shown his deceitful and meticulous manner in both handling my case, and in corrupting it in an obvious threat on my case in the above referenced and copied email responses, is the one responsible for this sad and publicly damaging situation I am found to be in.

The only thing that would not connect and be left without a reasonable doubt is the issue of why Mr. Sanders settled for Ms. Thomson and why Ms. Thompson simply stopped responding to my wife's telephone calls, emails and contacts in mid March, 2003.

I find it very implausible that any radio station ownership with as few stations as Mr. Martin's would be in a position to buy off an EEOC regional manager.

I do not find it implausible that common goals were met between the EEOC regional manager and the attorney of the defendant in the first case, Mr. William Allen.

The simple act of Ms. Thompson's genuine desire to receive justice in her case, and her deciding to do the case after realizing how bad my situation had become, was used by both to rid them of my case and cause a threat to be placed against me from Mr. Sanders and resolve the problems of both parties by settling and locking up all evidence that might be contrary to the story of my having been involved in 'harassment' as Mr. Sanders put in today's email correspondence.

The other possibility is actually an additional situation:

2: Mr. Sanders was not to have to answer to his collusion with the radio station attorney who was implicated in my case against the radio station.

The attorney, one William Allen of Lexington Kentucky, the attorney of Mr. Martin for many years, became involved in my case when he called me at home, after work to ask me questions about the allegations of Ms. Thompson's resignation letter and follow up letter.

Allen did not know that I had a copy of both of those letters as they, were provided by Ms. Thompson. I had a copy of the first letter after it was distributed to persons involved in her position issue and a copy of the second letter as, Ms. Thompson dropped it off for me at the radio station.

I knew what the content of the letters were although I did not remember the specifics of each allegation.

He proceeded to ask me questions about the allegations where I stopped him and told him, I did not feel comfortable with answering those questions. It was necessary to tell the truth to those questions and I wanted to know if my job was on the line for responding to them. He assured me it was not on the line.

I responded to each of his questions and followed the orders of Mr. Martin over a conference call with the general manager and the consultant that I have no personal contact with Ms. Thompson. That did not preclude my wife from continuing a deep friendship.

I answered affirmative to all of the allegations and informed Mr. Allen of additional problems I was having, including being threatened with death in a terrorist inspired email message attachment. An email was sent after I was fired containing a photo of me with "A Victim of Musso Madness" across the image and an included audio file, sent to Mr. Sanders via CD of 'Crying Time Again', claiming responsibility for the intimidation and firing.

I demanded that the intimidation stop to which he replied he expected Mr. Martin to do what was best.

From that point on, the station ownership and its legal counsel had been aware, repeatedly, as I faxed the attorney a summary of the call and have that confirmation page in records, and spoke with Mr. Martin on the phone at length about the situation at the radio station and my situation of being intimidated and threatened, of the situation I was in, having supported the rights of a former employee under Title 7.

That was the second part of my case: retaliation with motive and in a vengeance.

In his email response today he said, "In fact, the documents in her file don't mention you in a positive way because she feels you were part of her problem and did not go to bat for her for a full time job so you will need a statement from her to support some of your case."

That statement would have to coincide with the story presented in this part: "RE: Har-



assessment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info," which addressed my second motive issue.

His stating this in the email: "But we will cross them bridges when we get to them. I am waiting to hear from their attorney re the Fact Finding Conference. I will be leaving the office shortly and will not be back until next Wednesday so if you need me you can call me on my cell @ (704) 564-9464. C U Later", was only intended to give me a sense of urgency by which he would trick me into calling him and potentially becoming abusive or threatening, even though he knew and had wondered numerous times out loud in the hotel lobby meeting why I had not 'kicked his ass' (referring to Bruce Musso) for the threats and intimidation against me, where I told him I was above that kind of response: where he would twist the story into supporting the concocted story that I somehow managed to be at fault for all of the abuse I was subjected to.

His letter is full of blatant, bold-faced lies, documented otherwise.

My wife and I are **shocked** at Mr. Sanders' actions and totally baffled as to how Mr. Sanders could have imagined it was possible to lie, accuse a plaintiff within a federally protected Title 7 case in government email, with an interpretation of the case dependent upon both his lie and the lie of the defendant in that case and expect to not have to face the legalities of that stupidity.

I not only tried to hire Ms. Thompson at that radio station, repeatedly but I had planned and included her in employment with a different radio station for which she provided the reference. All of which took place after the incidents at L.M. Communications.

To elude in that email that I was a part of the reason she was not working full time with that employer is absurd. Her case entails events prior to my arrival as an employee with that company and documentation, backed up by numerous sources, prove beyond any reasonable doubt that I was responsible for trying to get her hired as a full time employee and suffered immense consequences for having dared to uphold the law as protected in Title 7.

The reference to "she feels you were part of her problem and did not go to bat for her for a full time job" is counter to the letter I wrote to consultant Don Hallett of which a copy was sent to Ms. Thompson much later, in the first part of this year.

From: "Lee Kent Hempfling" <iggit@knology.net>  
To: <OnlyOnePatriciaT@aol.com>  
Subject: Fw: Meeting synopsis  
Date: Sat, 26 Apr 2003 16:41:09 -0400  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="-----\_NextPart\_000\_0EF9\_01C3422F.0E4F9AE0"  
X-Priority: 3  
X-MSMail-Priority: Normal  
X-Mailer: Microsoft Outlook Express 6.00.2800.1158  
Disposition-Notification-To: "Lee Kent Hempfling" <iggit@knology.net>  
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

This is a multi-part message in MIME format.

-----\_NextPart\_000\_0EF9\_01C3422F.0E4F9AE0  
Content-Type: text/plain;

charset="iso-8859-1"  
Content-Transfer-Encoding: quoted-printable

This is something for you as well as me. You wanted to know when the =  
first time was  
that I started talking about making you a full time hire. Here it is. =  
Feb 9, 2002. Don  
Hallett's response was he had never heard you. See below.

----- Original Message -----=20  
From: Lee Kent=20  
To: DWHALLETT@aol.com=20  
Sent: Sunday, February 10, 2002 9:35 PM  
Subject: Re: Meeting synopsis

not at all on Stevie... we had a good talk on the phone last night... =  
and he actually sounded better having to do things fresh... he's coming =  
in Wednesday for a sit down session... also... Skip suffered another =  
stroke today.. either partial or a full one we don't know... one side is =  
partially paralyzed right now... Trish will be filling in tomorrow until =  
we hear what is going on...=20  
lee

----- Original Message -----=20  
From: DWHALLETT@aol.com=20  
To: lk@leekent.com=20  
Sent: Sunday, February 10, 2002 3:57 PM  
Subject: Re: Meeting synopsis

In a message dated 2/9/02 8:02:37 PM Eastern Standard Time, =  
lk@leekent.com writes:

I'm starting  
to think with a little coaching Trish could make one hell of a good =  
night  
girl.... thoughts?

I've never heard her. Forward an aircheck or an abbreviated one via =  
MP3 and I'll tell you what I think.

Don't make "the grounds" for change in Stevie's role the things you =  
found parked on the hard drives. Again, be careful here and walk each =  
move through with your GM.

The first part of my case is based in Charles Cohn, radio station general manager and his minions causing me the serious harm of intimidation and threat. Mr. Sanders thinks that case is based in racial bigotry because I am Jewish. He told me after the hotel lobby meeting, while walking to my car, that Mr. Martin's 'attorneys' had argued since Mr. Cohn was Jewish as well, there could be no discrimination case against him.

The case against Mr. Cohn is not a discrimination case against me, it is a discrimination case for me having been retaliated against for having supported the rights afforded to persons of color in this nation under Title 7 of the EEOC law. It started before I was hired, is documented for each act of EEO rule and law violation and continued through the hiring process and deeply into my firing process.

There was never a claim that it was Jew upon Jew bigotry.

That was only implied in the threatening Palestinian terrorist email. Another email invoked a world war two tyrant but the case is not about Italian Mussolini discrimination either.

It was checked in my case filing form because the case involved racial discrimination.

Where Mr. Martin's defense was intended to defray a potential costly legal situation, which could cost him his FCC license to own a radio station: Mr. Sanders was in need of disposing with my case in the least amount of effort required.

In the meeting Mr. Sanders told me he knew something I did not know. I wondered what he could have meant by that.

The reason documents in Ms. Thompson's case do not address me, after the initial letter she wrote to Mr. Martin, which may or may not be a part of the sealed case records, but reside in my custody as copies from Ms. Thompson and are submitted in my pending case with the EEOC, is that she was no longer an employee and her case was for a period prior to my arrival.

In fact, Ms. Thompson borrowed my micro cassette recorder, of which I still have the original tape recording, where she met with Charles Cohn and he blatantly stated the radio stations were separate colors, one for white and one for black and he tried to buy her off with a lure of a sales position but only for the black radio station.

In that tape, of which the original is not locked up in a settlement case, only a copy I made for Ms. Thompson may be: Charles Cohn states the reason for my discharge and eloquently praised my abilities and her apparent relationship with me which included respect and whatever his fishing expedition could find out.

It is quite evident in the tape.

Mr. Allen came into the case as a co-defendant due to his collusion to plan and cause harm to my employment relationship in order to stop me from supporting and because I supported the allegations made by Ms. Thompson, which is a federally protected position under Title 7. His involvement in knowing of an existing and continuing crime and his failure to stop, attempt to stop or withdraw from representation is a violation of his code of ethics.

The agreement might not have been mutually attested, but it was mutually agreeable.

Was Ms. Thompson's case was to be settled wherein she would ignore or lie about her involvement in my case, which would take care of the second motive and the Jew upon Jew issue would take care of the first motive?

The only thing that has happened has been a compounded total illegal disaster.

In the hotel meeting with Mr. Sanders, which was not the hotel he informed me he was staying at, but the one where the conference was being held, he informed me in another incident with no relation to the discussion topic, that Ms. Thompson would testify in court. That was a reference that was out of topic and out of reason, unless it was to inform me that his story would be backed up from both within and without the NAACP-EEOC's backdoor.

After my curious and inquisitive 'ok?!?' regarding his other blurted out hook in that discussion, his topic changed from how horrible it must have been for me to have lived through all, that I had been given in retaliation for having supported the EEO laws of this land: he stopped trying to 'feel me out' and started to promise the world.

Documents filed in my case with the EEOC sent to the consultant detail in specifics the times and means I used during my attempt to hire her, even after she resigned.

He calculated an estimated 30 years of potential income lost due to the illegal firing, even though my letter requesting the EEOC's prosecution of the case discussed a real loss of a realistic retirement age: he came up with 1.5 million dollars of which he said should be my settlement offer. He then proceeded to offer his assistance in acquiring a civil rights attorney to handle the case, because it would be 'so good that it is a retaliation case' and a local attorney would want to do this case at 1.5 million dollars. He promised to make the offer the following week, after he returned to his office to Mr. Martin's attorneys for me and get back to me even if they counter offered just one dollar.

And he personally knew of an 'ass-kicking' local civil rights attorney who might be interested in calling me to talk about taking the case.

He became like a happy child who had just acquired the toy that would fulfill his life.

It is not ethical for an EEOC regional manager to offer to find an attorney for a complainant. It is not lawful for an EEOC regional manager to make an offer for settlement before the agency has officially investigated and fact-found the case.

I wrote him today to inform him that I had not heard from Ms. Thompson, as I had not heard from him as he had implied he would do, and I said the following:

">>> "lkh" <lkh@enticy.org> 08/20/03 10:49AM >>>  
FYI

no response contact from Ms. Thompson.

But that's ok.

Pretty much all of her complaint was filed in my complaint as supporting documentation. They may have settled her complaint but that does not lock up the documents in my complaint. After all, if that was the case, she referred to many of my documents in hers. There is no judge in this land who would prohibit my case just because it was referenced in her case.

And anyway, the federal judges here declared in 2001

that cases settled in private that involved current cases will be opened upon request. It was an interesting article where all 10 federal judges in South Carolina stated their intention to open any closed file needed to be made public for another case.

Hope all is well with you.

Lee"

His response referenced above in its parts addressed the original topic of his desire for a meeting and the desired outcome of the case in that I had not requested a letter of authorization and I would not go away.

His meeting managed to convince him that he knew what my case was about, and most importantly what my reaction would be to his offering to settle the case, therefore establishing I had a price.

So I informed him in that meeting, yet it appears to not have been heeded, that if there was anyway to receive justice for ALL I had been through, it was justice I was intending to receive whether that meant money or not and if there was another way I could receive justice that did not involve money I would do it.

He said then, that the only way I could get justice was through money. He misread my entire presentation in that meeting and based his further actions on his misrepresentation.

By stating: "the documents in her file don't mention you in a positive way" he admits to having tampered with evidence: as I have a copy of that filing and the letters referencing me in very supportive fashion that were received by others than just me are contained in both it and my filing with the EEOC.

The others to receive those documents are also defendants in the first case against the radio station.

By stating: "because she feels you were part of her problem and did not go to bat for her for a full time job" will be embarrassing for Ms. Thompson in a court of law with presentation of documents showing her involvement in attempting to secure employment for me at another radio station, her involvement in developing a new community minded promotional program for that radio station and in very numerous email correspondences where she is not only supportive, she is openly discussing her case in the EEOC and mine. It will further be confirmed that emails from her will show I had attempted through the ability of my position to cause her to be hired and it was that very reason I was being subjected to harassment and terrorist inspired threats for having done so in violation of Title 7.

Today's email from Mr. Sanders is the first time he has ended a message with a closure. This one ends with "C U Later".

Mr. Sanders knows that one of the stipulations of Ms. Thompson's alleged settlement in some way refers to her inability to speak with me as it was shortly after I told Ms. Thompson on the phone that I was no longer in 'radio' and I would not participate in any radio station she decided to buy with her EEOC proceeds, that she stopped corresponding with my wife as the very close friends they had been.

Mr. Sanders knows that if there is such a stipulation in the settlement Patricia Thompson would not be permitted to respond to a letter requesting a statement from me unless it was a court order or a subpoena and he could cover up the request by saying he did not need it anymore or never said it, and Ms. Thompson would never know the difference: if she was not involved in the entire NAACP, EEOC dis-

crimination case and only upset that I had been driven out of the business.

In that conversation I also informed Ms. Thompson that I had, had about enough of the foot dragging going on at the EEOC and I would do something about it, which was after Mr. Sanders declared to me in email that the EEOC did not have jurisdiction in the case. I followed that with proof of the law Mr. Sanders is sworn to uphold which resulted in his hateful attack on me for daring to argue legalities with him.

Every single contact regarding my case was accomplished by Ms. Thompson, directly to Mr. Sanders with me receiving information in email about it from her or a telephone conversation between Ms. Thompson and my wife.

There is even evidence that Mr. Sanders was making the same excited child with a new toy act with Ms. Thompson, calling her to discuss her son Moe and no reference to the pending case before the EEOC. Documented in email.

He knows that I once told Ms. Thompson that I had an attorney standing by, which was true, as is all of my upcoming testimony, both in and out of court, as I had just joined the Pre-Paid Legal Service and had access to an attorney if one was needed. His asking me if I had an attorney and how was I currently making it and what was I doing for income, was intended to determine if her telling him I had an attorney was true, and if so was I able to afford to retain that attorney.

But he does not know that Ms. Thompson corresponded with me regarding a bigotry allegation at the Millie Lewis Modeling Agency where she was then working, that involved one of the part owners she had become friendly with.

She asked my advice and would never have done so if she had not felt comfortable enough in my tolerance and belief, that bigotry of any nature is totally wrong.

She was fired from Millie Lewis Modeling Agency. Not much contact from her after that.

It is beyond me that a man in the position of Mr. Sanders would go to such lengths to destroy a case he is proven beyond any reasonable doubt to have mishandled, ignored, refused to prosecute without a single investigation of a legally filed claim, refused to provide access to his superior and his very noticeable anger to each point I objected to, by providing legal documents that supported my assertions.

His attempt to quash my case included an attempt to agree with the defendant's attorney that the EEOC did not have jurisdiction in the case, after numerous emails to him, resulted in an admission that the very law the regional manager of the EEOC is charged with enforcing did indeed make a very specific case for jurisdiction. It is a clear-cut case of malfeasance of a public official involved in fraud.

He is counting on my not having the money to fight his illegal actions. He knows I am not making a living wage, working freelance, spending most of my time writing and publishing scientific material that is my life's focus and has been intensely so for 10 years.

He is confident that even though I complained through your office and he heard through his office, that I did not include the NAACP or The Reverend Darby in that public complaint, that I do not have evidence connecting the NAACP and the EEOC, through an illegal backdoor access, with special privileges.

That I do not have supporting evidence of his motive in settling the first case of an African American female and his refusal in writing to even consider prosecuting, then ignoring any investigation of my case.

He does not know I have this email:

>From: OnlyOnePatriciaT@aol.com

>To: suesiekent@hotmail.com

>Subject: Re: Revisions

>Date: Tue, 13 Aug 2002 18:48:00 EDT

>

>He is the contact Reverend Darby told me to call at the Charlotte EEOC

>Regional office ... remember ...???

And he is not aware of this one, where Ms. Thompson becomes scared about intimidation, an exact fear only able to have been considered knowing what she knew about my case:

The most important part is "Please give me some guidance ... As soon as possible ... I need to be able to think and right now ... I can't think about anything else ... I know what these people did to Lee ... my God Billy, what's going to happen to me next?"

This letter alone shows beyond any reasonable doubt that Ms. Thompson, knew about my case, knew what I was subjected to and knew it was in retaliation.

The entire letter is contained in my files and here:

"Return-Path: <thompson@millielewis.com>

**Received: from bright02.icomcast.net (bright02-qfe0.icomcast.net [172.20.4.9]) by msgstore03.icomcast.net (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002)) with ESMTP id <0H1W006BGXIVUA@msgstore03.icomcast.net> for leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Wed, 04 Sep 2002 08:04:07 -0400 (EDT)**

Received: from mtain04 (lb-ldap-155.icomcast.net [172.20.3.155]) by bright02.icomcast.net (8.11.6/8.11.6) with ESMTP id g84C45G25265 for <@msgstore03.icomcast.net: leekent@comcast.net>; Wed, 04 Sep 2002 08:04:05 -0400 (EDT)

Received: from millielewis.com (server37.aitcom.net [208.234.0.50]) by mtain04.icomcast.net (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002)) with ESMTP id <0H1W004YGXIKWC@mtain04.icomcast.net> for leekent@comcast.net (ORCPT leekent@comcast.net); Wed, 04 Sep 2002 08:03:57 -0400 (EDT)

Received: from mli1 (unused-186.wan-ip-uslec.net [63.243.39.186] (may be forged)) by millielewis.com (8.8.8/8.8.5) with ESMTP id IAA14394 for <leekent@comcast.net>; Wed, 04 Sep 2002 08:03:55 -0400

Date: Wed, 04 Sep 2002 08:03:43 -0400

From: "Patricia" <thompson@millielewis.com>

Subject: FW: Trish Thompson

To: <leekent@comcast.net>

Message-ID: <000501c2540b\$1e310e20\$0200000a@mli1>

MIME-Version: 1.0

X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

X-Mailer: Microsoft Outlook, Build 10.0.3416

Content-Type: multipart/alternative;

boundary="----=\_NextPart\_000\_6BAE\_01C3422F.6B4424F0"

Importance: Normal

X-Priority: 3  
X-MSMail-Priority: Normal

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_6BAE\_01C3422F.6B4424F0  
Content-Type: text/plain;  
        charset="us-ascii"  
Content-Transfer-Encoding: 7bit

-----Original Message-----  
From: Patricia [mailto:thompson@millielewis.com]  
Sent: Wednesday, September 04, 2002 8:03 AM  
To: 'billy.sanders@eeoc.gov'  
Subject: Trish Thompson

Billy,

I hope all is well with you. I need some advice. I need you to tell me something to keep me from being a nervous wreck. Last night Lynn Martin the owner of LM Communications called me at my HOME number ... I was shocked to hear from him ... How could he have obtained my number? Is it on my complaint form??? Is he allowed to contact me like that now, after it's been made official??? He called me from (859) 233-1515 at 7:11 pm.

I tried to have a decent / civil conversation with him, but I also know that he realizes how serious this is to me. He indicated that he was very disappointed with my actions and that he would fight it ... and I told him he could dispute whatever he felt he needed to ... He tried to imply that Charlie was offering me a position as a sales executive and I informed him that this was not the way Charlie presented it to me and that I specifically asked Charlie in what capacity was he presenting this whatever it was he was presenting to me ... and Charlie implied he didn't know ...

Because Mr. Martin kept implying that I misunderstood Charlie's intentions, I told him because I knew he would take this position for Charlie that I had recorded the conversation. He asked me if Charlie knew I was recording the conversation, I told him no and that I'm sure if he'd known he wouldn't have said the things in the manner in which he did. I further told Mr. Martin that I was further insulted and felt discriminated against because of how he went about presenting the so-called "opportunity" to me and that when all was said and done and I verbally presented my argument, that he would take the position like I had turned down a wonderful opportunity and now I had proof that that's now how it went.

Mr. Martin then asked me if he could hear the recording so that he could judge for himself ... I told him I'd have to think about it, that I indeed wanted him to hear the recording, that I wanted to watch him hear the recording, and asked when would he be coming to Charleston again. He told me it would be early October and he also asked if I would send him a copy in the mail. I told him I'd get back to him about that in a



few days.

Afterwards, as I recapped our conversation, I began to feel like, Oh My God what have I done. How did he get my phone number ... am I going to start being harassed ... am I safe at work now, or at home ... I began to feel that this might be some kind of intimidation tactic to try to ... I don't know what ... I just know it has me on edge right now ... and I'm concerned about his true intentions or is this just another ploy ...

If he contacted me and was not supposed to ... what can I do about it to ensure that he doesn't continue to contact me in this manner? Or, contact my current work place ... They all know where I work Billy, now I'm looking all around me, wondering if I'm being followed, all kind of stuff man.

Please give me some guidance ... As soon as possible ... I need to be able to think and right now ... I can't think about anything else ... I know what these people did to Lee ... my God Billy, what's going to happen to me next?

So, if I all of a sudden end up injured or dead ... this is becoming scary ... do please don't think I'm being playfully jokey right now, because I'm not ... Please do not let this go ... Please do not let this go, if something does happen to me.

And, even more so than me, he asked about my son, Moe, whom you know I don't mind talking about ... but now I'm worried about that ... Moe's team plays the University of Kentucky on October 12 in Kentucky ... Maybe I should not let him go there ... See, I did not want this to affect Moe in any way, now I'm worried what if they do something to him to get back at me ... what if they get somebody to hurt him on the football field ... Billy, I would never forgive myself ... EVAH ...

Billy my mind is spinning ... please email me, call me something ... before I explode from worry ... Thanks, Take Care, Patricia ;o)"

While working at Millie Lewis Modeling Agency Ms. Thompson requested an immediate phone call or email from Mr. Sanders.

She was so worried for her life and the life of her son, based on what she knew happened in my case and to me that it had her to the point of tears as she begged him for guidance. He called her at her place of employment according to Ms. Thompson.

Ms. Thompson has not corresponded with my wife, her then best friend, or me since the first quarter of this year.

Mr. Sanders was comfortable that I had not told your office about the NAACP or EEOC collusion and that my word against his, with me having an assumed, so little evidence against him, and he, having the ability to make the Thompson case go away, he did not need to have the agreement or knowledge of Ms. Thompson to carry out his intention to destroy my civil rights and render them useless.

I did not know there was a 'backdoor' to the EEOC until it was done.

Return-Path: <OnlyOnePatriciaT@aol.com>  
Received: from bright08.icomcast.net (bright08-qfe0.icomcast.net [172.20.4.65]) by msgstore03.icomcast.net (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002)) with ESMTP id <0H0N008DNFPCR3@msgstore03.icomcast.net> for leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Sat, 10 Aug 2002 18:27:20 -0400 (EDT)

**Received: from mtain04 (bright-LB.icomcast.net [172.20.3.155]) by bright08.icomcast.net (8.11.6/8.11.6) with ESMTP id g7AMRH028347 f o r <@msgstore03.icomcast.net:leekent@comcast.net>; Sat, 10 Aug 2002 18:27:18 -0400 (EDT)**

Received: from imo-r04.mx.aol.com (imo-r04.mx.aol.com [152.163.225.100]) by mtain04.icomcast.net (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002)) with ESMTP id <0H0N004SQFPBCZ@mtain04.icomcast.net> for leekent@comcast.net (ORCPT leekent@comcast.net); Sat, 10 Aug 2002 18:27:11 -0400 (EDT)

X-Priority: 3

X-MSMail-Priority: Normal

Received: from OnlyOnePatriciaT@aol.com by imo-r04.mx.aol.com (mail\_out\_v33.5.) id i.3b.2ad6a44a (4238) for <leekent@comcast.net>; Sat, 10 Aug 2002 18:27:06 -0400 (EDT)

Date: Sat, 10 Aug 2002 18:27:06 -0400 (EDT)

X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

From: <OnlyOnePatriciaT@aol.com>

Subject: Re: From The Post & Courier

To: <leekent@comcast.net>

Message-ID: <3b.2ad6a44a.2a86ed3a@aol.com>

MIME-Version: 1.0

X-Mailer: AOL 5.0 for Windows sub 40

Content-Type: text/plain;

charset="US-ASCII"

Content-Transfer-Encoding: 7bit

I didn't mean it like that ... I know you're gonna tow your load ... I was saying just in case you were not around ... never mind ... I want to see this through for all of us ... and it was just a safety net kind of request ... in case something happened ... just like if something happens to me ... you can still carry on in my behalf and for all of us concerned, you, my SQ ... etc ... that's how I meant it but I didn't want to get that elaborate, detaily with saying it ... cause I don't want it to sound negative ... it's like having an insurance policy ... why do you have it ??? Just in case something happens ... you hope and pray that it doesn't ... but you pay each month ... just in case something does ... so your family will still be protected and be able to go on ...

Enough ...

Also, run that by me again ... about what you were saying last evening ... how the good ole boys ... came up with the idea to market this "type" of music and their true intent ... I know the logistics but re-explain the method to the madness so that I can figure a way to incorporate that into my document as well ... It may help cause the EEOC to take a look into all

stations that operate this way ... how many more places is this going on ...  
and even moreso now that ...

you know what you know about the CC and SJ thing ... where else is it  
happening, that the ratings are being stacked ... This is MEGA LK MEGA SQ  
MEGA Ya'll  
and you have opened an area that will give us back what radio is supposed to  
be about ... Thank YOU LK ;o) ... Great God In Heaven ... Thank You Soooooo  
Much!

Thank you for being who I knew and felt you were ... the first time I met  
you, and then again when we had our first staff meeting ... Thank you for  
being the true genuine human being you are ... Thanks for being strong, even  
in the hours of what other would consider weakest ... Thanks for being a  
fighter for what's right and a  
"kick ass" for what's wrong ...

I mean this with all my heart ... THANK YOU LK ... Thank you too SQ for being  
the most supportive wife and friend ... and a very good friend to me ...  
Thanks for believing in me as well ... Always ... ;o)

In that letter, reference is made to CC (Charlie Cohn) and SJ (Steve Jason). This is in reference to illegal copies of Arbitron ratings sent in faxes, of which I have copies, by Steve Jason, then General Manager of Citadel Communications radio stations in Charleston S.C., to Charlie Cohn that were used by Cohn to inform me how bad the radio station was doing in the ratings. They were selective results and without merit, to which the consultant addressed in a documented email on my behalf.

Steve Jason, Charlie Cohn's close personal friend, was later fired from Citadel with allegations that he was selling hard drugs in the radio station. That firing occurred after my complaint letter to the FBI had included reference to that potential.

From Mr. Sanders' letter of today in email his intentions are either to present an issue that Ms. Thompson has lied in all areas of her case including his allegations of her feelings about my involvement in the case per his letter, and she is a part of that conspiracy, which is extremely hard for I or my wife to comprehend as the Patricia Thompson we both knew well: or he is doing this without her knowledge as she will have no contact with me or my wife as long as the cases are active or perhaps forever.

He informed me at the face-to-face meeting that Ms. Thomson's case was settled, but negotiations were still going on as to the payment of the settlement.

Perhaps the temptation of a settlement for Ms. Thompson was enough to go against hard written evidence to the contrary in a settlement but regardless if it is with the complicity of Ms. Thompson or not, these actions and the horrible manner in which the first case was handled and the following cover up and the interim collusion with the defendant attorney can only speak to one outcome, besides being public in a letter to an Honorable United States Senator.

It is only due to the potential that Ms. Thompson is not aware of the allegations made in her name that this document is not now in the hands of every news organization with a fax machine.

If she is not involved there is no reason to damage her due to Mr. Sander's illegal actions.

Mr. Sanders has not used email since the face-to-face meeting so it would tend to look like this one was

intended to be in writing and in so doing would implicate Patricia Thompson in the act.

The additional collection of emails from Patricia Thompson to both my wife's email accounts and mine will speak volumes of her friendship and her attitude regarding my situation in the case against the radio station.

Mr. Sanders is also not aware of this email:

"Return-Path: <OnlyOnePatriciaT@aol.com>  
Received: from bright16. (bright16-qfe0.icomcast.net [172.20.4.105]) by msgstore03.icomcast.net (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002)) with ESMTP id <0H1X00D3H7BUFC@msgstore03.icomcast.net> for leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Wed, 04 Sep 2002 11:35:54 -0400 (EDT)  
Received: from mtain04 (bright-LB.icomcast.net [172.20.3.155]) by bright16. (8.11.6/8.11.6) with ESMTP id g84FZqG17349 for <@msgstore03.icomcast.net:leekent@comcast.net>; Wed, 04 Sep 2002 11:35:52 -0400 (EDT)  
Received: from imo-r05.mx.aol.com (imo-r05.mx.aol.com [152.163.225.101]) by mtain04.icomcast.net (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002)) with ESMTP id <0H1X006R37BC4Q@mtain04.icomcast.net> for leekent@comcast.net (ORCPT leekent@comcast.net); Wed, 04 Sep 2002 11:35:37 -0400 (EDT)  
X-Priority: 3  
X-MSMail-Priority: Normal  
Received: from OnlyOnePatriciaT@aol.com by imo-r05.mx.aol.com (mail\_out\_v34.10.) id i.5f.2caf5715 (3842) for <leekent@comcast.net>; Wed, 04 Sep 2002 11:35:34 -0400 (EDT)  
Date: Wed, 04 Sep 2002 11:35:33 -0400 (EDT)  
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165  
From: <OnlyOnePatriciaT@aol.com>  
Subject: Re: more  
To: <leekent@comcast.net>  
Message-ID: <5f.2caf5715.2aa78245@aol.com>  
MIME-Version: 1.0  
X-Mailer: AOL 5.0 for Windows sub 40  
Content-Type: text/plain;  
 charset="US-ASCII"  
Content-Transfer-Encoding: 7bit

just received a call from Billy ... HE IS GREAT !!!

WE ARE GONNA WIN THIS ONE ...

I'm sooooooooooooooooooooooooooooo excited ... anyway ...

**He's asked that both our cases be assigned to him ... He is going to be the investigator ...**

He received your hard copy yesterday ...

And, he's making arrangements to come to Charleston ...

He said not to worry about them or the phone call ... and that someone from that location must have given them my number ... I'm on the phone with Denise

now ... and she has assured me that she did not give it to them.

She's telling me now that she was called into the office with Charlie and Mike and they asked her ... what do I want ... and that if this is going to continue they'll have to seek an attorney ...

Denise indicates that she felt as if she was supposed to be able to say something to me to make me change my mind ... hahaha

So, I have just now concluded that John is the only other one that has my number ... it is private and unlisted ...

Denise also indicated that she submitted a letter of resignation and they were already ape shit ... then when they saw that ... Charlie gave it back to her and said ... I don't see how you're leaving can help your situation, just keep it and think about it before you decide ...

Denise said she knows they are just trying to be nice to her now ... She said they didn't ask her opinion before about anything ... why were they asking her now ... and that she knows they are just trying to keep her in place as their token black ...

I have to get back to work ... but I had to tell you that ...

I'm concerned about John Majhor though ... & how much he knows and if what he knows could throw us an obstacle ..."

Her reference is to whether John Majhor knew that my wife and Ms. Thompson were close friends, or whether it was if John Majhor was aware of the so-called 'backdoor' at the EEOC. John Majhor knew that my wife and Ms. Thompson were friends. John Majhor (Walter John Majhor) is the current program director of the radio station, having been hired by me as part of the process of bringing professional staff into the radio station per Mr. Martin's request. He was hired for afternoon drive, where Ms. Thompson was intended to be further trained and placed in fulltime middays at the station.

John Majhor walked out of the station in disgust and quit on the spot when he learned I had been fired. He was talked into returning and eventually took the position I had as program director.

The motive of the statement "He's asked that both our cases be assigned to him ... He is going to be the investigator..." as having our cases under Mr. Sanders' control, would mean he could service her's for Reverend Darby or Dwight James and use mine to get her's settled and not have to service the white guy.

In the first meeting with Mr. Sanders where Ms. Thompson informed me in advance that he wanted to 'see my stuff'. Mr. Sanders would not permit me in that meeting yet asked that Ms. Thompson bring my documentation with her.

She was provided with copies that she later incorporated into her EEOC filing.

Whatever the reason that prompted Mr. Sanders' response in the manner and words in which he phrased them to be sent to my email account today, it can only result in the further loss of my civil rights through a continuation of illegal, criminal fraud and intimidation.

Following the first request for assistance from your office, I spoke with Ms. Price who learned of the local prominent connection. Unless she informed the Directorate of the EEOC handling the case out of Greenville that a mention was made that was not in the public letter to you and the Directorate informed Mr. Sanders, Mr. Sanders was assured I did not have anything to speak of regarding a connection between the NAACP and the EEOC.

After the phone call to my cell phone voice mail (which has been retained) from Mr. Sanders the evening of the day after the EEOC acknowledged to Ms. Price they had received the request for assistance, where he requested to meet me and discuss moving forward in my case, his voice changed from acting as a concerned public servant to pleased that was all over. I called him the next day and left a message for him on his voice mail.

I expected his return call, from my Friday afternoon message, would come during business hours the following Monday, but it did not come until 9:00PM at night from his home telephone, as per caller ID, where he informed me he had read my entire case and wanted to get right on it and needed to meet, and that he would be in Charleston the next day for a conference and he would stay at a North Charleston hotel.

I told him the next day was not going to happen due to other duties so he agreed to the afternoon of the following day.

Instead of calling me in the afternoon of the following day, he called me at 10:20 to 10:30 AM asking for an immediate meeting.

He said we could meet at the hotel where his conference was being conducted, which was not the hotel he was staying at or he would meet me someplace else.

Shortly after I left home for the hotel, my wife received a phone call from Mr. Sanders asking if I was in. My wife informed him I had already left for the meeting and he said he had received a phone call and must have just missed my return call. He then proceeded to tell her, to tell me, he would meet me in the lobby of the hotel, which I already knew about.

After the face-to-face meeting he informed me the missed cell phone call was not my call, as I knew it was not, and my wife's not giving him my cell phone number at that time most probably kept the meeting active.

When I first arrived at the hotel I asked for him by introducing myself to a person who said he knew 'Bill Sanders' and had seen him earlier in the lobby.

When I could not find Mr. Sanders, since I did not know what he looked like, I had never met him before and he did not describe the person I was to meet, I walked back outside and called his cell phone from my cell phone where the short call ended with my walking inside to be greeted by a large overbearing bear hug.

I have been the victim of a massive, scandalous, racially motivated attack by a regional manager of the EEOC in what must be a connection to the NAACP 'backdoor' and the radio station attorney's collusion with being a defendant in the case.

It is quite possible that the Thompson case is not settled and the setup is taking place with Ms. Thompson's involvement, which is an illegal activity, and under the jurisdiction of the Federal Bureau of Investigation, I hereby so demand that investigation.

It is hard for me to believe Ms. Thompson could attempt to say something improper about my involvement in her case.

Reference this email from Ms. Thompson.

Return-Path: <OnlyOnePatriciaT@aol.com>  
Received: from bright02.icomcast.net (bright02-qfe0.icomcast.net [172.20.4.9]) by msgstore03.icomcast.net (iPlanet Messaging Server 5.1 HotFix 0.8 (built May 13 2002)) with ESMTP id <0H2N000NUVZ2VA@msgstore03.icomcast.net> for leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Wed, 18 Sep 2002 21:25:50 -0400 (EDT)  
Received: from mtain01 (lb-ldap-155.icomcast.net [172.20.3.155]) by bright02.icomcast.net (8.11.6/8.11.6) with ESMTP id g8J1PIG05539 for <@msgstore03.icomcast.net:leekent@comcast.net>; Wed, 18 Sep 2002 21:25:48 -0400 (EDT)  
Received: from imo-m10.mx.aol.com (imo-m10.mx.aol.com [64.12.136.165]) by mtain01.icomcast.net (iPlanet Messaging Server 5.1 HotFix 1.4 (built Aug 5 2002)) with ESMTP id <0H2N00BKGVYU3E@mtain01.icomcast.net> for leekent@comcast.net (ORCPT leekent@comcast.net); Wed, 18 Sep 2002 21:25:42 -0400 (EDT)  
X-Priority: 3  
X-MSMail-Priority: Normal  
Received: from OnlyOnePatriciaT@aol.com by imo-m10.mx.aol.com (mail\_out\_v34.10.) id i.1b8.63a9474 (3858) for <leekent@comcast.net>; Wed, 18 Sep 2002 21:25:37 -0400 (EDT)  
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165  
Date: Wed, 18 Sep 2002 21:25:37 -0400 (EDT)  
From: <OnlyOnePatriciaT@aol.com>  
Subject: Re: question  
To: <leekent@comcast.net>  
Message-ID: <1b8.63a9474.2aba8191@aol.com>  
MIME-Version: 1.0  
X-Mailer: AOL 7.0 for Windows US sub 10638  
Content-Type: multipart/alternative;  
boundary="-----=\_NextPart\_000\_6BC7\_01C3422F.6B5255C0"

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_6BC7\_01C3422F.6B5255C0

Content-Type: text/plain;  
charset="US-ASCII"  
Content-Transfer-Encoding: 7bit

Hi, I tried to call you guys ... and I sent SQ and IM ...

To answer your question ... I believe it took about 10 days or so to receive mine in the mail ... maybe a bit longer ... can't remember ... but I'll look at the paperwork when I get a chance ... I think it was about 10 days though ...

Give them a call and let them know you hadn't received anything regarding your complaint ... that they'd received it or anything ... Now, ;o) ;o) ;o) you know it's gonna take someone about a month to ready it all ... right???

Just teasing ... but yours was a lot longer than mine ... **and we both know it**

was received "unofficially" ...

**Man, I'm gonna answer another email or two and then I'm gonna try to call you**

guys again ... then I'm gonna go to sleep ... had a long weird day ...

Oh, and thanks for answering my question, earlier this morning ... I just hadn't had a chance to do much emailing today ... it was very informative and very much appreciated ... In fact, I need to look at it again ... I think I only got to #4 and had to sign off ...

Talk to you later ... luv & hugs ... ;o)

This email from Ms. Thompson continued the topic:

Return-Path: <OnlyOnePatriciaT@aol.com>

**Received: from bright11.icomcast.net (bright11-qfe0.icomcast.net [172.20.4.100]) by msgstore03.icomcast.net (iPlanet Messaging Server 5.1 HotFix 1.4 (built Aug 5 2002)) with ESMTP id <0H3A005K2153XS@msgstore03.icomcast.net> for leekent@ims-ms-daemon (ORCPT leekent@comcast.net); Mon, 30 Sep 2002 20:24:39 -0400 (EDT)**

Received: from mtain08 (bright-LB.icomcast.net [172.20.3.155]) by bright11.icomcast.net (8.11.6/8.11.6) with ESMTP id g910Obx28608 for <@msgstore03.icomcast.net:leekent@comcast.net>; Mon, 30 Sep 2002 20:24:37 -0400 (EDT)

Received: from imo-d07.mx.aol.com (imo-d07.mx.aol.com [205.188.157.39]) by mtain08.icomcast.net (iPlanet Messaging Server 5.1 HotFix 1.4 (built Aug 5 2002)) with ESMTP id <0H3A000B814NS9@mtain08.icomcast.net> for leekent@comcast.net (ORCPT leekent@comcast.net); Mon, 30 Sep 2002 20:24:23 -0400 (EDT)

X-Priority: 3

X-MSMail-Priority: Normal

Received: from OnlyOnePatriciaT@aol.com by imo-d07.mx.aol.com (mail\_out\_v34.13.) id i.3d.252beb76 (4592) for <leekent@comcast.net>; Mon, 30 Sep 2002 20:24:21 -0400 (EDT)

Date: Mon, 30 Sep 2002 20:24:21 -0400 (EDT)

X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

From: <OnlyOnePatriciaT@aol.com>

Subject: Re: any updates?

To: <leekent@comcast.net>

Message-ID: <3d.252beb76.2aca4535@aol.com>

MIME-Version: 1.0

X-Mailer: AOL 7.0 for Windows US sub 10638

Content-Type: multipart/alternative;

boundary="-----\_NextPart\_000\_6BD0\_01C3422F.6B5737C0"

iPlanet-SMTP-Warning: Lines longer than SMTP allows found and truncated.

This is a multi-part message in MIME format.

-----\_NextPart\_000\_6BD0\_01C3422F.6B5737C0

Content-Type: text/plain;

charset="US-ASCII"

Content-Transfer-Encoding: 7bit



Hi, thanks ;o)

I haven't heard anything from anyone. Perhaps, you should make an inquiry to the EEOC and check the status of your complaint. That's all I can suggest. I'm kind of letting it take its course. He assured me that he has everything, will be investigating, has requested both our cases to be assigned to him, **that he would come here to take care of what needs to be taken care of** and I believe that he will. I'm sure we are not the only cases he has to work, but I feel strongly that when it's our turn he will give it his utmost consideration and attention. I understand that they have a right **to request an extension in providing their input. With the "we don't em-**

**ploy**

more than 15 people" issue, I'm thinking that he is doing whatever he needs to do in order to handle that situation as he sees fit in accordance with his policies and procedures. **He has to remain, also, in a neutral position, regardless of what he may really think or feel and I'm sure maintain a high level of diplomacy in order to work effectively for all of us concerned.**

I've decided to let him drive the ship. I feel that what he's told me and that I've shared with you is valid and when the time comes to put all the elements together, it will happen. I'm sure he cannot, suddenly, appear to devote all of his attention to these particular complaints, or treat it any differently than any other cases he has to investigate, all variables being equal in the process. **Even though we had an inside link, and I'm grateful we did, who knows how long this process would take otherwise?**

I thought Martin was coming in tomorrow, but maybe I'll call Denise later tonight and check on her and things ... I don't particularly care to hear from Martin at this juncture. And, if he tries to contact me, I doubt I'll **talk with him or answer his phone call if he tries to call me.**

Hope all is well with you ... I'm a bit tired from the trip but I need to answer some emails and work on one of my projects for about an hour ... Then, I'll try to reach Denise and I'll call you before I go to sleep. Perhaps, around 930ish!

Luv and hugs ;o)

With all of this evidence it is curious why Mr. Sanders would bring up the NAACP connection without a reason in the face-to-face conversation. I do not believe for one moment that a staff member of your office would have passed on non-public information to the Directorate of the EEOC. And I do not believe the Directorate of the EEOC would ever have passed it on to the person being complained about, even if they did know about it.

Ms. Price instructed me to put anything I wanted public in writing and leave out that which I did not want public. That is what I did.

On January 25, 2003 I sent the following email to Ms. Thompson:

Reply-To: "Lee Kent Hempfling" <iggit@knology.net>  
From: "Lee Kent Hempfling" <iggit@knology.net>

To: <OnlyOnePatriciaT@aol.com>  
Subject: Trish! Important  
Date: Sat, 25 Jan 2003 16:44:54 -0500  
Organization: Iggit  
MIME-Version: 1.0  
Content-Type: multipart/mixed;  
    boundary="-----\_NextPart\_000\_628E\_01C3422F.5DAFE310"  
X-Priority: 1  
X-MSMail-Priority: High  
X-Mailer: Microsoft Outlook Express 6.00.2800.1106  
Disposition-Notification-To: "Lee Kent Hempfling" <iggit@knology.net>  
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

This is a multi-part message in MIME format.

-----\_NextPart\_000\_628E\_01C3422F.5DAFE310  
Content-Type: text/plain;  
    charset="iso-8859-1"  
Content-Transfer-Encoding: 7bit

When you speak to the contact next please forward this on to him.

Hi, by the way.

The reason is, the lady below may have a case herself against Martin and Cohn as well as a deep witness for my case and yours.

On 6/21/02 (I have the telephone message slip to prove it . An image scan of the slip is attached to this email)... written by Leslie (office manager) an Aretta Jenkins called the station seeking to find out if there were any on air openings... I called the number because Cohn had just finally

agreed to let Logan go and replace her but there was no answer.

I found out there was a chance for

another black female to hold the midday job as I had been just then recently told that there was no way he would ever hire you ...

Some time went by without my calling again as I was backed up in other duties.

Ms. Jenkins stopped in the station late in the work day, .long after I was gone and she

asked Denise if there were any openings. Cohn overheard the question and quickly jumped in front of Denise and told Aretta there were no openings.

He did not follow proper procedure if there had been no openings because he never offered her to drop off a resume or fill in an application or anything at all

he just did not offer her squat...

Aretta Jenkins then wound up talking to me a few days later after I finally placed another call. She stopped back in, dropped off a cassette tape and we had

a nice short talk out by her car. She was a nice lady who had some announcing

experience but no where near the polish you had and not up to the standard I was seeking in replacing middays on air with an experienced professional.

Her home number is 864-647-4325 her office number is 864-656-6557

she had been working at a local tv station and had difficulties there with a former boyfriend working there as well so she was looking to better herself and make things easier on herself and she wound up getting told to take a hike

by Cohn apparently knowing full well I had left a message in trying to hunt her down. Perhaps she did not know that but either way it was a disgusting typical Cohn antic.

Also please tell him our new phone number is 843-225-6310. Its the house phone. I still have the cell as well but it is rarely on as its only for being out now.

Thanks

Have a nice weekend.

Lee

<http://www.iggit.com>  
<http://www.heartheheartbeat.us>  
Lee Kent Hempfling  
iggit@knology.net

Mr. Sanders not only knew of additional illegal civil rights violations and failed to act on them, he was aware of the above and the home phone number and that my cell phone was not being answered.

Yet he called my cell phone to set up a meeting.

In her response Ms. Thompson sent this message:

Return-Path: <OnlyOnePatriciaT@aol.com>  
Delivered-To: iggit@knology.net  
Received: (qmail 32538 invoked from network); 28 Jan 2003 04:31:26 -0000  
Received: from unknown (HELO imo-r10.mx.aol.com) (152.163.225.106) by spamlite2.knology.net with SMTP; 28 Jan 2003 04:31:26 -0000  
X-Priority: 3  
X-MSMail-Priority: Normal  
Received: from OnlyOnePatriciaT@aol.com by imo-r10.mx.aol.com (mail\_out\_v34.13.) id k.2b.371afd1a (3924) for <iggit@knology.net>; Mon, 27 Jan 2003 23:31:17 -0500 (EST)  
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165  
From: <OnlyOnePatriciaT@aol.com>  
Message-ID: <2b.371afd1a.2b676195@aol.com>  
Date: Mon, 27 Jan 2003 23:31:17 EST  
Subject: Re: Trish! Important  
To: <iggit@knology.net>  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="----=\_NextPart\_000\_6C44\_01C3422F.6B907030"

X-Mailer: AOL 7.0 for Windows US sub 10638

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_6C44\_01C3422F.6B907030

Content-Type: text/plain;

charset="US-ASCII"

Content-Transfer-Encoding: 7bit

LK,

Okie Dokie ... thanks ... I've been in Columbia all weekend. Moe's birthday is today (27th) ... Just getting back in a little while ago ... ;o)

Hi Ya ... hope all is well with you and SQ ... please tell her I'm thinking of her with luv and hugs!!!

I'll pass this on ... ;o) and will talk to SQ perhaps tomorrow or by Wednesday ... ;o)

Take Care ... Trish

SQ is the pet name Ms. Thompson called my wife, "Suesie Q" is my pet name for my wife, as is simply, "Q".

My only contact with the EEOC's supposed investigation of my case filing was through another case's plaintiff who now, according to Mr. Sanders' email of today's date has completely changed her complaint.

Ms. Thompson's EEOC complaint form was written by the EEOC itself and sent to her only for signature. I wrote mine with the help of Ms. Thompson.

The documents contained within a potential settlement include those documents filed with the case. They do not include drafts, evaluation copies or email received prior to, during and after that case.

This message was forwarded from my wife's hotmail email account to mine and contained an attachment.

Return-Path: <suesiekent@hotmail.com>

Delivered-To: lkh@knology.net

Received: (qmail 28239 invoked from network); 12 Mar 2003 14:27:31 -0000

Received: from unknown (HELO hotmail.com) (216.33.241.9) by spamlite2.knology.net with SMTP; 12 Mar 2003 14:27:31 -0000

X-Priority: 3

X-MSMail-Priority: Normal

Received: from mail pickup service by hotmail.com with Microsoft SMTPSVC; Wed, 12 Mar 2003 06:27:32 -0800

Received: from 24.214.49.182 by lw8fd.law8.hotmail.msn.com with HTTP; Wed, 12 Mar 2003 14:27:32 GMT

X-Originating-IP: [24.214.49.182]

X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

From: "Suesie Hempfling" <suesiekent@hotmail.com>  
To: <lkh@knology.net>  
Bcc:  
Subject: Fwd: Re: ;o)  
Date: Wed, 12 Mar 2003 07:27:32 -0700  
MIME-Version: 1.0  
Content-Type: multipart/mixed;  
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X-OriginalArrivalTime: 12 Mar 2003 14:27:32.0424 (UTC) FILETIME=[84BF5480:01C2E8A3]

This is a multi-part message in MIME format.

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charset="iso-8859-1"

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That document was revised numerous times but not for content.

It is included here as a matter of public record. Words in blue and green are comments of Ms. Thompson in the writing process from the original email attachment contained in my files:

August 1, 2002

*U. S. Equal Employment Opportunity Commission  
1801 L Street, N.W.  
Washington, DC 20507*

*Dear US EEOC:*

*Greetings!*

*I would like to request an investigation into allegations that are in direct violation of Title VII of the Civil Rights Act of 1964 (Title VII), Equal Pay Act of 1963 (EPA), and the Civil Rights Act of 1991, as they pertain to the illegal and unethical business practices of L. M. Communications Inc.; L. M. Communications of South Carolina, Inc.; L. M. Communications II of South Carolina, Inc., et al., 1300 Greendale Road, Lexington, KY 40511, and 59 S. Windermere Blvd, Charleston, SC 29407, et al.*

*I submit a chronological summary to provide an analysis and justification as it pertains to the following issues and alleged EEO violations as follows:*

- 1. Full and other part-time employment opportunities that became available within LM Communications, WCOO (COOL 105), while I was a part-time employee during and through October 2000 and March 2002.*
- 1. The manner in which I was or was not considered and/or looked over, and not offered one of these positions regarding these employment opportunities, even though I was qualified through experience, education, work performance, and tenure with the employer, LM Communications.*
- 1. If I was receiving equal pay for equal work, considering my experience, education, work performance and tenure regarding the specific job opportunity in relation to other employee's experience, education, work performance and tenure with the employer, LM Communications.*
- 1. Documented proof of ratings received during my employment as it relates to work performance and inadequate pay commensurate to other employees performing same type of work who consistently received lower ratings.*
- 1. If race, age, sex and/or disability discrimination was, indeed, a factor during this time.*

1. *And/or, if a hostile work environment existed.*

### **Introduction:**

*Under LM Communications General Manager, Steve Jason and Program Director (PD), Ken Carson, I accepted employment with WCOO/COOL 105, in the Programming department, as a part-time radio announcer, beginning October 2000, working only on Saturday and Sunday. I was told that the station was advertising for part-timers, and that they were specifically looking for a female voice as their previous mid-day female employee had been fired, several months earlier, due to misconduct related issues. I was told that the starting salary for all part-timers was \$6.00 per hour.*

*During that time, I believe, Bob Boswell was the morning host announcer leaving and being replaced by the Windham Brothers.*

*I am certain that Damian Bell was the new mid-day host, Evans Bryd was the afternoon host, and Stevie Byrd was the evening host announcer. I was the only female announcer on the air during this time assigned to the Programming Department.*

*Upon the departure of PD-Ken Carson, in February 2001, Ken, informed me that I possessed the voice, personality and attitude of what COOL 105 needed. Additionally, based on my performance, if the “powers that be” listened to him, I should be going places within the Programming Department very soon.*

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### **EEO Complaint as it pertains to Issue 1, 2, 3, 4 and 5:**

*In direct violation of Title VII, the ADA, and the ADEA, it is illegal to discriminate in any aspect of employment, including: hiring and firing; compensation, assignment, or classification of employees; transfer, promotion, layoff or recall; job advertisements; recruitment; testing; use of company facilities; training and apprenticeship programs; fringe benefits; pay, retirement plans, and disability leave; or other terms and conditions of employment.*

*Discriminatory practices under these laws also include: harrasment on the basis of race, color, religion, sex, national origin, disability, or age; retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices; employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individual of a certain sex, race, age, religion,*

*or ethnic group, or individuals with disabilities; and denying employment opportunities to a person because of marriage to, or association with, an individual of a particular race, religion, national origin, or an individual with a disability. Title VII also prohibits discrimination because of participation in schools or places of worship associated with a particular racial, ethnic, or religious group.*

*Whereby: L.M. Communications Inc., L.M. Communications of South Carolina Inc., and L. M. Communications II of South Carolina Inc., have employed for over 20 or more calendar weeks in the current or proceeding calendar year a sum of 15 or more employees, did willfully and intentionally engage in illegal discriminatory practices to wit the following:*

- 1. Unlawful intentional discrimination*
- 2. Compensation, assignment, or classification of employee*
- 3. Job advertisements*

3

- 1. Employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain sex, race, age, religion, or ethnic group, or individuals with disabilities; and**
- 1. Denying employment opportunities to a person because of marriage to, or association with, an individual of a particular race, religion, national origin, or an individual with a disability.**

**SUMMARY:** After approximately 5 months of working as a part-timer assigned to a weekend shift, in late February 2001, the midday position became available due to Damian Bell's relocation to Florida. Shortly after, our PD Ken Carson left and the new PD-Mike Allen arrived and began filling in for the midday shift.

Based on my previous radio experience, college education in Radio/TV broadcasting (radio concentration), and Ken Carson's remarks prior to his departure, I thought, surly, I would be given consideration and/or, at least, offered the opportunity based on my tenure and seniority, to compete for, or deny the midday position. But, I was not.



And, when I inquired as to why I was not, I was told that because I already had a full time job, paying more than what I could be offered by the radio station, it was assumed that I would not be interested in the position. **And, I was further informed that they had already spoken to someone else who was going to start in a few days.**

**However, I do recall, Mr. Steve Jason (General Manager at this time) asking me if I worked during the weekday and he asked me what my salary was. After I told him, he proceeded to tell me that I sounded real good on-air.**

After that I never heard another word and at no time did anyone offer the midday position to me or ask me if I'd be interested in applying or competing for it.

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*Furthermore, it was never advertised so that anyone else could compete for it. Instead, a previously **fired employee was re-hired for the position (Radio Name: Linda Logan – AKA Linda Grumbine).***

### **EEO Complaint as it pertains to Issue 6:**

*Additionally, I was told that Linda Logan, a former employee who had previously been fired by Ken Carson, due to causing arguments with Bob Boswell; **for having been caught looking through other employee's personal material trying to find out what they made hourly and thereby being suspended for such action; as well as instigating and causing conflicts between other employees,** was being allowed to return to the radio station and Programming Department **as a part-timer,** and would be working the midday position. These were some of the same reasons, I later heard, that caused the Windham Brothers (the Morning Show Hosts) to become very upset when they learned that she was returning to the station. They also had worked with her previously at another station in the market where she reportedly caused chaos and an uncomfortable work environment.*

***Upon being re-hired and returning to the station,** Linda made it a point to come into the studio one Saturday afternoon, while I was on the air, and initiated a conversation about how she knew I'd heard that she was "crazy" but wanted to assure me that even though she'd had issues with the Windham Brothers and a few others in the past, she was a nice person.*

*I proceeded to tell Linda, I based my views on how an individual treats me and time would tell. I also informed her that I was on*

*the air and could not talk with her at the time. Later, I asked our PD, Mike Allen, to speak with Linda and ask her not to interrupt me with non-professional conversation while I was working because it was very distracting.*

5

### **EEO Complaint as it pertains to Issue 1, 2, 3, 4 and 5:**

*A few more months went by, and in April 2001, the afternoon drive position became available after Evans Byrd was fired for making insulting remarks regarding fellow employees and about the General Manager's family. The PD, Mike Allen, took over the afternoon shift.*

*It was also about this time that the GM, Steve Jason, departed the station and the current GM, Charlie Cohn, arrived.*

*And, it was on or about May 3<sup>rd</sup>, 2001, that I met Mr. Lynn Martin, the owner of LM Communications for the first time, during a visit to the Charleston stations.*

*In fact, I met Mr. Martin and Mr. Cohn for the first time, together. They had PD Mike Allan contact me to ask that I come to the station to meet with Mr. Martin. When I arrived, I met with Mr. Martin in the General Managers office and he introduced me to Mr. Cohn (the new General Manager). They wanted to discuss the Traffic Manager position for the radio stations (WCOO & WYBB) that had just suddenly been vacated by an African-American female, by the name of Yvette.*

*They inquired into my full time job responsibilities which I told them I was the Assistant Traffic Manager at a local TV Station. They inquired into what my salary was and indicated they would contact me. However, I never heard from them, and found out a few days later that they had offered the position to the entry-level receptionist, at the time, Leslie.*

*In mid to late June 2001, again, I asked if I was being considered for the available afternoon drive position in the Programming Department. Again, I was told that the radio station could not afford to pay me any where near what they knew I was making at my, then, full time job.*

*At that time, I informed the PD-Mike Allen, that I felt I should, at least, be offered the position, and if it was something reasonable, even though it may be less than what I was making from my full time job, that I should be allowed to consider it and make a decision based on what I could or could not afford, not on someone else's assumption on what I would or would not work for.*

*In retort to that, I was told that someone who had a lot of broadcasting experience was being considered for the job. That person, as it turns out, was Skip St. John (radio name) AKA Wayne D. Morath, who arrived in mid-July, 2001.*

*Later, Skip disclosed that the station was getting "a really good deal" by hiring him, because Skip who was disabled due to a previous stroke and rehabilitation, could not earn over a certain amount monthly (\$700 is what I recall as the figure that was used) in order for it not to affect his monthly disability. Skip's effective hire date was July 10, 2001 at a rate of \$8.75 per hour (Encl 1). **Additionally Skip worked quite a few special station remote broadcasts where his payments for such broadcasts were made to his girlfriend "Martha" so as not to disturb his disability income.***

#### **EEO Complaint as it pertains to Issue 4:**

*All-the-while, I worked diligently and professionally, and tried to meet my personal goal of getting in the top five rating zone for the Charleston radio market, even if I was only working on Saturdays and Sundays, 3-7pm, extended hours as necessary, as well as filling in for other weekday part-timers in their absences over holiday and vacation periods.*

*I had already shown a considerable increase from the 2001 Fall Arbitron Ratings book, over the 2001 Winter book to number six (5.9 share – 35-54 demo) and by the Spring Book, the ratings had increased to a number ONE (11.3 share) for Saturdays.*

*Furthermore, it was, and I believe it continues to be, the highest ranking EVER in ANY day part, since the inception of the COOL 105 R&B Urban Oldies format.*

*And, Sundays went from a tied third (6.5 share) to a number TWO (10.7 share) for 35-54 demographic. Persons 12+ on Saturday went from a six ranking to a three, and on Sunday went from a ten to a number four. Overall, all ratings increased for all demos and all were in the top five for both my day parts, Saturday and Sunday 3-7pm.*

## **EEO Complaint as it pertains to Issue 3, 4 and 5:**

*But, I soon began to believe that this great, first, accomplishment meant nothing to LM Communications. Especially after my year anniversary, when I asked if it would be possible to receive a raise based on my performance, initially, but also because I had become aware that other part-time white employees were making as much as \$2.75 - \$3.00 an hour more than I was for doing the same type of work, and same type of responsibilities. Furthermore, these other part-time employees were offered additional income by being scheduled for live remotes, which paid approximately an additional \$150 per remote. During my entire tenure, I was only scheduled for one remote and that was around mid January 2002.*

*Additionally, I was lead to believe the raise would be forthcoming, after inquiring about it several times, although it never did. The last excuse I was given from the PD, Mike Allen, for not having received a raise was that “we work for a Miser” and that it was out of his control.*

*The realization became even more painfully obvious when other part-timers were being hired at approximately a \$1.00 greater rate of pay than I had started and ended with, even though I had more experience, education and tenure with the radio station. I even trained some of these inexperienced part-time employees who were starting at a higher rate of salary.*

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*I also, grew tired of being used to fill in for the day parts I was not suitable enough to be considered for on a full time basis, but good enough to be a “fill-in” when the others were out on vacation for the holidays or whatever. Additionally, I was not compensated at the same amount of salary as the announcers I filled in for.*

*I soon began to equate that the reason for this “difference” was because I am of African-American descent and no other reason. My work performance was not questionable, my work ethic was not questionable, my dependability was not questionable, my attendance was not questionable, my timeliness was not questionable, my team-work spirit, when necessitated, was not questionable.*

*However, I was kept behind the scenes, and “in the back of the bus” so-to-speak, except for*

*the airtime of my scheduled shift or my participation in community activities I was already involved in prior to becoming an employee.*

### **EEO Complaint as it pertains to Issue 1, 2, 3, 4, and 5:**

*Furthermore, it affected me because, I am of African-American descent and I viewed my position as an opportunity not just a job. An opportunity to prove that I was able and capable of bringing in high ratings, as well as being accepted in the community on many diversified levels.*

*Over time, I began to realize that African-Americans, in all capacities, were and still are being cheated by a station that is using their musical roots for profit while ignoring their contributions in the community and professional sector.*

*This began to cause a turmoil within myself because I didn't want to believe that this type of mentality was so blatant, true and holding me hostage in an environment that I had initially truly enjoyed and thought that everyone was being treated and considered equally in a common endeavor, to wit: the success of the radio station, community and all associated with such, regardless of the complexion of their skin, nationality, origin, ethnic background, etc.*

9

### **EEO Complaint as it pertains to Issue 3, 4, 5 and 6:**

*Additionally, while sitting in a staff meeting, on August 20<sup>th</sup>, 2001, a mandatory meeting that had been scheduled for both COOL 105 & 98 Rock programming staffs, a comment of curiosity as to why I had attained such high ratings was tossed about. I took the opportunity and made the comment that I believed the station as a whole would receive increased ratings if air shift personnel stopped voice tracking their shifts all the time.*

*The GM, Charlie Cohn, then implied that this was not a significant issue and had nothing to do with the ratings. Later, I wished I had of thought to say to him, if he truly believed that, then perhaps he should have no air shifts at all, perhaps even, he should go home and just let the station run itself. How much money would that save the station!?! (rhetorical)*

*Furthermore, the other part-time employees who were getting paid higher wages than me for the same type of work were voice tracking their shifts rather than doing them live.*

*Part-timers were only supposed to be compensated full hourly wages for the live hours and reduced time reported hours for the hours they voice tracked. Those same part-time employees were paid full wages and higher wages for voice tracking, while I was the only part-time employee that did not voice track and physically worked my assigned shift hours for lower wages and did more work. **And, the full time employees who voice tracked did not do other job functions of***

*multi-task to justify their income. They did production during a voice tracked air shift instead of staying in the radio studio, where their air shift should have been conducted, for their entire paid time.*

*The meeting had been scheduled to initiate weekly staff meetings, and to discuss ways to enhance the station(s) marketability in order to increase market share.*

## 10

*During this meeting, I heard my fellow radio announcers complain about how they wished our format was more like Oldies 102.5; how they liked the “other” music much better; or how certain R&B songs got on their nerves, especially certain parts that were just nerve wrecking, or why didn’t we play more so-called, non-genre specific, beach music.*

*When I asked what defined “beach music,” it turns out to be genre specific R&B oldies, ethnic to the African-American listener, urban rhythm and blues, plain and simple. I guess “beach music” or “rhythmic music” is considered a more acceptable term for the white listener or businessman they try to sell their advertising to, rather than just saying R&B oldies.*

*Hearing these remarks offended me. To an African-American listener, and demographic listener, that certain part of the song, the ethnic, urban sound, was the heart and soul of the song for us! It irritated and offended me to realize that these white announcers and staff were not concerned, and did not care about the music or the African-American listeners in our community.*

*In fact, on several occasions they indicated that if the music couldn’t be “shagged” to they didn’t care about it and weren’t that familiar with it anyway. Perhaps, in part, this was why the ratings continued to stagnate.*

*After September 11<sup>th</sup>, our sister station developed and distributed bumper stickers that stated “Buck Fin Laden” and also symbolized the colors and semi-design of the Confederate Flag. I was shocked, disheartened, offended, but also wiser to understanding the true mentality of the individuals and the company I worked for.*

*There was no money available for raises, there was no money available for promotions in the African-American communities, there was no money available for promoting the COOL 105 station or for Charleston’s Promise the Alliance for Children and Youth adequately, but there was money to make thousands of bumper stickers with a confederate flag symbol associated with it.*

## 11

*Additionally, I also realized there was no need to voice my disgust to anyone other than the*

*one other African-American employee, the receptionist, Denise, because the rest of the staff was white and obviously since everyone had one on their privately owned vehicle. I'm sure we would have been told that if we didn't like it to get out.*

*I began to be able to understand a lot of things that before I could only speculate and wonder about. I reflected on how things had "silently" occurred, things that you knew weren't right but felt and couldn't prove but you knew something was wrong, something was different, there was a stench in the air but you couldn't pinpoint it but you always knew it was there. I began to understand why I felt so isolated from the rest of the staff after this open and blatant display of true color.*

*Scenarios like the Engineer, Bruce Musso, coming in on a frequent basis, when there was no one else in the building, during my air-shifts. Bruce would come in and in a nasty tone tell me he needed to do something to the control board, tear it apart, then go and get on the phone in his office and turn the radio up (that was playing another station by the way) and smoke cigarettes and talk on the phone.*

*On one particular occasion, I asked Bruce if he was finished and he told me he had to do a few more things. I waited in the studio for him to return and after about 30 minutes I went to look for him and realized he had left the building. I felt this was a blatant attack on my ability to do my job. These minor technical jobs could have been done during the times the other part-time employees shifts who had voice tracked their shifts. I based his tone and demeanor toward me because I am of African-American origin. Though he didn't say much, his actions and demeanor toward me were very intimidating. Bruce also displays a full sized confederate flag on his pick-up truck where he also keeps a gun. Taking these elements into consideration, I thought it wiser to ensure my safety by not saying anything until I was in a better situation to defend myself.*

## 12

*I began to, even more so, seriously, evaluate my position at this establishment, what I might be perceived as symbolizing by being an employee. Subsequently, I began to consider my options regarding my future.*

*I felt there was a serious problem, but felt I had no recourse and any official complaint while still employed would only be detrimental to other important aspects of my life that I could not afford to let be affected at the particular time.*

### **EEO Complaint as it pertains to Issue 1 and 6:**

**My last straw came during my Sunday air-shift on December 30<sup>th</sup>,**



2001. That's when upon arriving to the station at my usual time (30 mins before my air shift), I noticed that Linda Logan had not paid attention to the posted schedule or music log and had voice tracked into my first hour.

Upon calling Linda to explain why I deleted the 1pm voice tracks she had recorded, Linda proceeded as follows:

**"Fuck you Trish!"** In effort to curb the tone of the conversation back to a professional one, I explained to Linda that I'd been starting on Sunday at 1pm for several weeks now and asked had she forgotten.

Linda proceeded to be unprofessional, vulgar and nasty in tone by saying, **"You're so fucking greedy ... You want every fucking thing for yourself"** and then she hung up the phone. I immediately contacted the PD, Mike Allen, via his home phone. When his wife answered the phone I realized he was already on his cell phone with Linda. When Mike finished speaking with Linda, we spoke briefly and agreed that I would come in early the next morning, Monday, December 31<sup>st</sup>, 2001, to discuss the situation with him further.

13

Upon doing so on Monday morning, I expressed, to Mike, my disgust with Linda and the remarks she had made. I asked Mike to inform Linda to keep her distance from me and not to say anything to me, at all, unless it was strictly professionally related, as I felt Linda's remarks to me were unprofessional, unacceptable, unwarranted, unprovoked, and I would not tolerate them in the future.

Nor, would I accept the "I was frustrated or I didn't take my Prozac today" excuse because it was my belief Linda meant to say what she said, and I felt she, obviously, had been wanting to make the statements for a while now based on the venom with which she used to make the nasty, vulgar remarks.



Mike stated that he was not making excuses for Linda, but that she had a stressful week and felt overwhelmed with the workload. I informed Mike that he knew I was available to help and if the workload was too great for anyone, then he knew all he had to do was let me know and I'd be happy to assist in anyway I could.

I again took this opportunity to inform him that I was available and able to work and give more time to the station whenever I was needed, and that surely he knew my desire to be more involved in the radio station business was genuine as I had been asking him periodically since July 2002, to let me know of any opportunities that became available in the radio station where I could assist and work more hours.

Mike confirmed that he was aware. Mike also stated that he in no way condoned Linda's behavior and that he would take care of it. Mike also suggested that I not discuss this matter with anyone else.

I informed Mike that I had already told Michael Hanahan, Ray, Bobby Collins, and Stevie Byrd the Sunday afternoon of the incident, and to Mr. Ken French (Station Manager of WYBB) that Monday morning, and that I had planned on discussing it with Charlie Cohn, the General Manager. Mike asked me not to talk to anyone else about it and that he would handle it.

14

I later learned that **three weeks after this incident**, Linda Logan had been given a promotion to a full time employee and a salary increase to go along with it effective January 21, 2002 (Encl 2). This confused me because, **I did not realize Linda would be rewarded for her actions and furthermore**, I had been told there were no full-time or other part-time opportunities within the station by PD, Mike Allan, the same person that, obviously, recommended and/or authorized the full time position for Linda , and Mike knew that I was looking for a greater opportunity and responsibility within the station myself. And, certainly after proving my work ethic time and time again, as well as being the only staff member with seniority, here again, I thought surely I would be offered what I had always strived for ... *the opportunity.*

Nor, was there any notification so that I or anyone else who wanted to, could compete for the position that was mysteriously created on Linda's behalf and Linda's behalf alone (even after she had been previously fired from the same position).

My belief of Linda's true intent was further substantiated, on Wednesday, February 27<sup>th</sup>, after a meeting with the new PD-Lee Kent, Linda saw me in the hallway and asked if she could speak with me on the back stairs. This would be the first time Linda and I had a conversation since the December 30<sup>th</sup> incident.

During our conversation, Linda indicated to me that she'd heard I was thinking about leaving the station and wanted to ask me if I was sure about my decision because she'd hate for me to leave and be unhappy, as if she cared. I was not impressed with her so-called sudden concern and interest in my well being.

Therefore, I assured Linda that whenever I decided to leave the station, I would not feel unhappy afterwards as I always have something positive to be involved with. And, I further assured her that her unprofessional remarks to me earlier in the year were only a small factor in my decision to leave, and that the only thing it did was cause me to decided to leave sooner than I had planned.

## 15

Also, that the level of unprofessionalism displayed within the station by some of the staff, petty gossip, innuendo, the lack of organization and commitment by the station to support and cater to the entire community that we solicited to as well as other concerns, had set a negative tone in an environment I had once enjoyed working and being in.

Linda went on to state the she and some others at the station had felt that I acted like I thought that I was "better than anybody else." I promptly informed Linda, that these thoughts are in her mind or whoever else's mind that wants to think about it.

However, I did indicate to Linda that because I do carry myself in a

professional manner at all times and I take what I do professionally and personally very seriously, that perhaps others who did not possess these traits and who took what I had to offer for granted, were the ones with the insecurities and inadequacies.

Furthermore, I informed Linda that I do not intend to "ever" lower my standards to fit into any group that accepts substandard and any old excuse for being substandard will do ... as the "norm."

Nor, have I ever or would I ever treat anyone without dignity or respect, use vulgarities like they do on a consistent basis, nor use some lame excuse to do so.

*It is obvious and seems to be a complacent and accepted practice to behave unprofessionally, treat "others" without dignity and respect, and use explicit vulgarities in the work place of LM Communications radio stations in the Charleston market.*

### **EEO Complaint as it pertains to Issue 3, 4, 5 and 6:**

**On February 13, 2002, a mandatory staff meeting was scheduled to introduce the new PD, Lee Kent. The GM, Charlie Cohn, made a brief speech and during that speech gave the staff some reasons as to why a decision had been reached to hire a new PD, specifically, for COOL 105.**

16

**Mr. Cohn indicated that the former PD Mike Allan was not able to effectively manage two completely different style radio stations and was not giving 100% to either, so the decision had been made to have one PD for 98 Rock and another for COOL 105.**

**During this time it was also indicated by Mr. Cohn that another reason COOL 105 was not doing well in the ratings was because air checks of the on-air announcers were not being conducted on a frequent basis by PD, Mike Allen.**

**Mr. Cohn asked the other two part-time staff members, Linda and Skip had they been doing air checks. They indicated they had not. Mr. Cohn talked to Linda and Skip as if they were the only two part-time staff sitting at the table and totally left me out of the conversation.**

**Therefore, I spoke up and indicated that I had been receiving air-checks on a regular basis from Mike Allen. Mr. Cohn seemed surprised by this revelation**

and he implied that the reason I must have been doing air checks is because I was new.

To the contrary, I informed Mr. Cohn that I was the senior member of the current COOL 105 staff. As Linda, nor Skip were employed with the station at the time I was hired and didn't return or arrive until 5 and 9 months after I was hired, respectively. In all actuality, I'd been with LM Communications longer than even Mr. Cohn, as he did not become the General Manager until April or May of 2001.

Furthermore, I indicated to him the other reason why I received frequent air-checks was because as an on-air announcer, it was one of my professional responsibilities to be in a position to be critiqued at any time and no one had to remind me of that. Additionally, I had air check tapes at home to cover every time I've been on the air, since October 2000. **I even bought my own tapes and, brought in my own recording equipment since the station did not provide an air check machine at all times in the control room.**

17

**Mr. Cohn, side-stepped the issue when Linda began talking about how things used to be at the station when she'd been there, before she was fired by PD, Ken Cason.**

Here, and again, I realized my input as an employee was regarded as insignificant and/or dismissed just because I was not part of their "elite clique."

Eventually, I grew tired of being associated with a small group of small minded individuals, who through their CLIQUE association with the GM, Charlie Cohn, and the like, were being allowed to perform substandard work; make numerous mistakes with no consequences; and use crutch excuses for their mistakes, while embarrassing and down-grading the true capability of what should have been an outstanding radio station, in all day parts, all the time. And, thereby doing, behaving and saying anything they wanted to with no fear of reprimand.

**And, all the while being compensated with wages they were not earning and wages higher than what I was being paid for doing the same type of work, only **my work performance** was documented as better.**

**EEO Complaint as it pertains to Issue 1, 2, 3, 4, 5 and 6:**

**There are no sales associates that are African-American and at the time of my departure, there were no African-Americans or any other minority in the Programming department, either. The only full time African-American employed by the station, at the time of my departure, was the receptionist.**

Furthermore, on Saturday, March 9<sup>th</sup>, 2002, during the Charleston's Promise Children's Festival at Brittle Bank Park, Linda Logan along with her husband, came to where I was playing music for the festival. I thought she was there to promote the station.

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But there, while I was working on the platform, playing the music for the children's festival, Linda approached the platform and proceeded to rant and rave about how angry she was with Lee Kent. Linda told me that Lee Kent "is a fucking asshole" and proceeded to tell me how Lee had written her a four page Memo and air check, as well as about the Memo Lee had written to Skip, who by the way is taking his to an attorney.

Linda then proceeded to take the Memo from her purse and show it to me by saying, "Here, you need to read this crock of shit!" Then she started talking about how Lee had really "fucked up" by "pissing" Bruce, the Engineer off, and that Bruce had quit the station and had thrown his keys and cell phone on or at Charlie's desk and that now they were going to have to contract for his business and that because of "Lee's stupidity," Lynn Martin was getting ready to "pay out the ass" because Bruce was "really going to charge them for his services now."

In March, I contacted Mr. Lynn Martin in writing, and provided him with the same information. Mr. Martin eventually responded to my complaint sometime in May and basically implied that he felt some of my statements were not substantiated. I spoke with Mr. Martin on the phone and informed him that I could prove everything I had disclosed to him.

I have become aware that the new P.D. Lee Kent had been planning prior to my depar-

ture to promote me to the midday position to replace Linda Logan Grumbein but such attempts had been refused by Charlie Cohn with Cohn saying he had 'issues' with me.

Mr. Martin asked me what I expected at this juncture. I told Mr. Martin, since I was, obviously, now employed full-time with a new employer, and, that as he had indicated there were no current opportunities available at the station, I believed I should, at least, be compensated for the differential in the wages of what I was being paid and that of the other part-timers while I was an employee of his.

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Mr. Martin told me that he considered my request as null and void since I was no longer an employee of his company. Mr. Martin further stated that he felt threatened regarding the information I had provided him because I had implied that I was considering seeking legal remedy through an attorney or the EEOC.

Mr. Martin went on to suggest that he believed I possessed "a genuine passion" for the radio station and that if I didn't want "to burn bridges" and hopefully one day return to the radio station if an opportunity became available that I should reconsider my position.

A couple of days later, I spoke with Mr. Martin in effort to gage his sincerity about our conversation, the material I'd shared with him regarding the blatant violations of the EEOC, FCC and other business, ethical and morale issues of our society and its standards for the workplace. I hoped for and out of respect toward him, that *he genuinely wanted to correct the problems and issues that I had brought to his attention. But, I was also concerned that he too condoned the "norm" of what was happening within the station.*

*Mr. Martin informed me that he was planning a visit to the station the following week and suggested that I take my resume and a demo tape by the radio station and submit it to the PD, Lee Kent. Additionally, Mr. Martin suggested that I should wait until the Monday after his scheduled trip to submit my resume and demo to the Program Director.*

*After Mr. Martin's visit to the station, I learned from two employees at the station that a decision had been made to fire Linda Logan and they were looking for someone to replace the midday part-timer, Linda Logan.*

*I made sure I submitted my resume and demo as Mr. Martin had suggested I do. Then, I called to inform Mr. Martin that I had*

*done so about a week later, after I had not heard from anyone. I left Mr. Martin, at least, 2 messages with his assistant, Pam, asking Mr. Martin to, please, contact me, but I never heard from Mr. Martin again, nor did I hear from anyone from the station. Again, I felt discriminated against, duped, cheated and lied to.*

**I have learned that in a discussion between station Consultant Don Hallett and PD Lee Kent, that Mr. Kent was instructed to receive my application and to let Linda go. Afterwards, to then actively publish a job opening and to consider hiring me when it was complete. That process I have learned was rejected by Charlie Cohn.**

**EEO Complaint as it pertains to Issue 1, 2, 3, 4, 5 and 6:**

**Finally, just when one would think the degradation and discriminatory practices and insults had ended, I received a telephone call on Tuesday, July 23<sup>rd</sup>, from the GM, Charlie Cohn. He left me a message on my cell phone telling me he had been trying to contact me and that he “absolutely” had to contact me. Furthermore, he left a number and asked that I return his call.**

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**I was skeptical to say the least. Here was a man that hardly ever acknowledged my existence the entire time I worked for the station, continuously blew me off as if I had nothing to offer when we did interact during the few staff meetings we had, calling me and speaking as if we were long lost friends and he had just found my telephone number.**

**It had been 4 months since I’d left the station and I’d never heard a word from the man. Now, what did he have to discuss with me that was so important that he had to “absolutely” reach me, I wondered.**

**I contacted Mr. Cohn and we scheduled to meet in his office on Thursday, July 25<sup>th</sup>, at 12:30 p.m. To summarize our 30 minute meeting, I was basically offered “an opportunity to make some money on the side.”**

**Mr. Cohn suggested that if I knew of “2 or 3 other, hard working, conscientious, intelligent black people who could “penetrate the black community” in effort to persuade black business owners to buy advertising on COOL 105,**

then we all could share “in the pot of money.”

He would get “the most” of course, because it’s his “radio station,” and the 2 or 3 black individuals that I coerced into and trained in working with me and him, would get some and I would get some of the money.

Mr. Cohn admitted to me that they had come to realize that some of the issues I had brought to the management’s attention in the past, when I was a part-time employee, regarding the “black community” was correct.

Mr. Cohn also stated that “out of all the people who had worked at the radio station,” I was the “only one who always talked about The black community,” and that this was an area where they “a bunch of white folk” were not able to penetrate, thereby, not generating 30 to as much as 60% of the potential revenue in the black community.”

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Mr. Cohn further stated that since I had always expressed a passion for the station and had connections in the black community, that perhaps I could offer some additional insight, ideas and such to help accomplish his and the radio stations goal.

*Mr. Cohn went on to suggest, that if I knew 2 or 3 other “black people” that would be interested in this kind of situation, it would be a lot easier than placing an ad in the paper. And, before he started talking with people whom he knew nothing about, he would offer this opportunity to me, if I knew of these kind of people, because he knew that he did not know of any.*

*I understood his remarks and considered his lack of knowing any hard working, intelligent black people was because of his own prejudices and demeanor, evident in the manner in which he even said “black” when speaking about black people.*

Mr. Cohn, also indicated that there was not need to rush into a decision at this time. He suggested I take my time and think about what he was offering and if it was something I’d be interested in doing. He indicated that he would like to have his “game” in place by September.

Mr. Cohn made it clear that he didn’t want to deal with interviewing “black people” or go through the hassle of advertising for them.



**Technically Mr. Cohn has no legal way to advertise for minorities to be used the way he intends to use them without violating EEO policies. And, by him not legally and legitimately advertising under established EEO guidelines he is in violation, even though the station ownership claims to be an EEO employer ...**

**Certainly an ad in the paper such as the following would certainly suffice the opportunity Mr. Cohn offered me that afternoon in his office:**

**23**

**“ATTENTION BLACK PEOPLE ONLY ...**

**COOL 105 RADIO STATION & WHITE GENERAL MANAGER**

**SEEKS 2 OR 3 HARD WORKING, CONSCIENTIOUS,**

**INTELLIGENT, BLACK PEOPLE TO PENETRATE THE BLACK**

**COMMUNITY AND BLACK BUSINESS OWNERS IN**

**CHARLESTON, SC AND SURROUNDING AREAS IN EFFORT**

**TO GENERATE REVENUE FOR MY RADIO STATION AND**

**MAXIMIZE MY PROFIT THAT I AM NOT ABLE TO ACHIEVE**

**ON MY OWN BECAUSE I DON'T KNOW ANY, AT ALL ...**

**ALSO, YOU WILL BE ONLY SELLING THE STATION THAT**

**PLAYS THE URBAN R&B FORMAT TO THE BLACK LISTENERS,**

**COMMUNITY AND BUSINESS OWNERS ... YOU WILL NOT**

**BE ALLOWED TO SELL THE 98 ROCK FORMAT, WHICH IS CLEARLY A WHITE GUY'S STATION! ALL SERIOUS INQUIRIES CONTACT MY AFRICAN-AMERICAN TOKEN, TRISH THOMPSON FOR DETAILS, POSSIBLE INTERVIEW, TRAINING AND SEGREGATED EARNING POTENTIAL IN THE BLACK COMMUNITY ONLY!"**

**24**

**In conclusion, on July 31<sup>st</sup>, 2002, I received an email referring me to a site where I was able to access and download a 112 page document in which 36 of the pages that I have provided as enclosures.**

**These enclosure validate there were communications about me directly or referring to me, my employment, circumstances regarding my employment and issues concerning my re-employment within the LM Communications management system.**

**Furthermore, this documentation substantiates the disparity in wages, opportunities that were made available to other employees on an exclusive basis, the hostile work environment and discriminatory practices condoned by and not responsibly and effectively managed by the General Manager, Charlie Cohn and / or the owner, Lynn Martin as I had previously outlined to Mr. Martin in my correspondence to him on March 9, 2002.**

**These enclosures, which I submit along with my formal complaint, further validate and substantiate my initial concerns and provide credibility to my allegations and warrant an investigation into allegations that are in direct violation of the Civil Rights Act of 1964 (Title VII), The Equal Pay Act of 1963 (EPA), and the Civil Rights Act of 1991, as they pertain to the illegal and unethical business practices of L. M. Communications Inc.; L. M. Com-**

**munications of South Carolina, Inc.; L. M. Communications II of South Carolina, Inc., et al., 1300 Greendale Road, Lexington, KY 40511 and 59 S. Windermere Blvd, Charleston, SC 29407, et al.**

**These enclosures were provided to me and abstracted from the PD, Lee Kent's LM Communication's management documents. They cover in detail the a short period of time while I was still an employee of LM Communications and after my employment during the period of February – July 2002. During the time Mr. Kent was an employee of LM Communications who had been hired in January 2002 and then let go in July 2002.**

**25**

**Mr. Kent's 156 page formal complaint to the Federal Communications Commission, and the Federal Bureau of Investigations provide extensive detailed information of illegal activities, unethical business practices, and provides a history of how the activities were ongoing throughout a significant period of time, during my tenure and afterwards.**

**Thank you for your patience, time, concern and investigation into this extremely sensitive but utterly important matter.**

**Respectfully,**

**Patricia "Trish" Thompson  
PO Box 756  
Goose Creek, SC 29445  
(843) 709-1089**

**40 or so Enclosures / Documents of Support and Evidence  
as stated**

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A subsequent revision of that letter was sent to my wife's hotmail email account by Ms. Thompson in August 2002 and forwarded to my email account on March 12, 2003. It is placed here to make it part of the public record.

*August 1, 2002*

*U. S. Equal Employment Opportunity Commission  
1801 L Street, N.W.  
Washington, DC 20507*

*Dear US EEOC:*

*Greetings!*

*I would like to request an investigation into allegations that are in direct violation of Title VII of the Civil Rights Act (Title VII), Equal Pay Act (EPA), and the Civil Rights Act of 1991, as they pertain to the illegal and unethical business practices of L. M. Communications Inc.; L. M. Communications of South Carolina, Inc.; L. M. Communications II of South Carolina, Inc., et al., 1300 Greendale Road, Lexington, KY 40511, and 59 S. Windermere Blvd, Charleston, SC 29407.*

*I submit a chronological summary to provide the analysis and justification as it pertains to the following Issues and alleged EEO violations as follows:*

- 1. Employment opportunities that became available within*

*LM Communications, WCOO/COOL 105, while I was a part-time employee.*

- 1. The manner in which I was or was not considered and/or looked over, and not offered a position regarding these employment opportunities, even though I was qualified through experience, education, work performance and tenure with the employer, LM Communications.*
- 1. If I was receiving equal pay for equal work, considering my experience, education, work performance and tenure regarding the specific job opportunity in relation to other employee's experience, education, work performance and tenure with the employer, LM Communications.*
- 1. Documented proof of ratings received during my employment as it relates to work performance and adequate pay in comparison to other employees performing same type of work.*
- 1. If race, age, sex and/or disability discrimination was, indeed, a factor during this time.*
- 1. And/or, if a hostile work environment existed.*

### **Introduction:**

*Under LM Communications General Manager, Steve Jason and Program Director (PD), Ken Carson, I accepted employment with WCOO/COOL 105, in the Programming department, as a part-time radio announcer, beginning October 2000, working only on Saturday and Sunday. I was told that the starting salary for all part-timers was \$6.00 per hour.*

*During that time, I believe, Bob Boswell was the morning host announcer leaving and being replaced by the Windham Brothers.*

*I am certain that Damian Bell was the mid-day host, Evans Bryd was the afternoon host, and Stevie Byrd was the evening host announcer.*

*I was the only black female announcer on the air during this time assigned to the Programming Department.*

*Upon the departure of PD-Ken Carson, in February 2001, Ken, informed me that I possessed the voice, personality and attitude of what COOL 105 needed. Additionally, based on my performance, if the "powers that be" listened to him, I should be going places within the Programming Department very soon.*

### **EEO Complaint as it pertains to Issue 1, 2, 3, 4 and 5:**

*After approximately 5 months of doing weekends, in late February, the midday position became available due to Damian Bell's relocation to Florida, shortly after PD Ken Carson left and our new PD-Mike Allen arrived.*

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*Based on my previous radio experience and college education in radio/TV broadcasting (radio concentration), and Ken Carson's remarks prior to his departure, I thought, surly, I would, at least, be given first consideration and/or offered the opportunity to accept or deny the midday position. But, I was not.*

*And, when I inquired as to why I was not, I was told that because I already had a full time job, paying more than what I could be offered by the radio station, it was assumed that I would not be interested in the position.*

*However, I do recall, Mr. Jason asking me what I did during the weekday, and after I told him, and answered a few more questions that was the end of it. At no time did anyone offer the midday position to me or ask me if I'd be interested in applying or competing for it.*

*Furthermore, it was never advertised so that anyone else could compete for it. Instead, a previously fired employee was re-hired for the position.*

### **EEO Complaint as it pertains to Issue 6:**

*Additionally, I was told that Linda Logan (radio name), a former employee who had previously been fired by Ken Carson, due to arguments with Bob Boswell, as well as her instigating and causing conflicts between employees, was being allowed to return to the radio station, programming department and would be working the midday position. These were some of the same reasons, I later heard, that caused the Windham Brothers to become very upset when they learned that she was returning to the station.*

*Upon returning to the station, Linda made it a point to come into the studio one Saturday afternoon, while I was on the air, and initiated a conversation about how she knew I'd heard that she was "crazy" but wanted to assure me that even though she'd had issues with the Windham Brothers in the past, she was a nice person.*

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*I proceeded to tell Linda, I based my views on how an individual treats me and time would tell. I also informed her that I was on*

*the air and could not talk with her at the time. Later, I asked our PD, Mike Allen, to speak with Linda and ask her not to interrupt me with non-professional conversation while I was working, because I wouldn't interrupt her while she was working.*

### **EEO Complaint as it pertains to Issue 1, 2, 3, 4 and 5:**

*A few more months went by, and then in April 2001, the afternoon drive position became available after Evans Byrd was fired for making insulting remarks regarding fellow employees and about the General Manager's family. The PD, Mike Allen, took over the afternoon shift.*

*It was also about this time that the GM, Steve Jason, departed the station and the current GM, Charlie Cohn, arrived.*

*And, it was on or about May 3<sup>rd</sup>, 2001, that I met Mr. Lynn Martin, the owner of LM Communications for the first time, during a visit to the Charleston stations.*

*In fact, I met Mr. Martin and Mr. Cohn for the first time, together. They had asked me to come to the station to discuss the Traffic Manager position for the radio stations (WCOO & WYBB) that had just suddenly been vacated by an African-American female.*

*They inquired into my full time job responsibilities which I told them I was the Assistant Traffic Manager at a local TV Station. They inquired into what my salary was and indicated they would contact me. However, I never heard from them, and found out a few days later that they had offered the position to the entry level receptionist.*

*In mid to late June 2001, again, I asked if I was being considered for the available afternoon drive position in the Programming Department. Again, I was told that the radio station could not afford to pay me any where near what they knew I was making at my, then, full time job.*

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*At that time, I informed the PD-Mike Allen, that I felt I should, at least, be offered the position, and if it was something reasonable, even though it may be less than what I was making from my full time job, that I should be allowed to consider it and make that decision based on what I could or could not afford, not someone else's assumption on what I would or would not work for.*

*In retort to that, I was told that someone who had a lot of experience was being considered for the job. That person, as it turns out, was Skip St. John (radio name), who arrived in mid-July, 2001.*

*Later, Skip disclosed that the station was getting “a really good deal” by hiring him, because Skip who was disabled due to a previous stroke and rehabilitation, could not earn over a certain amount monthly (\$700 is what I recall as the figure that was used) in order for it not to affect his monthly disability.*

### **EEO Complaint as it pertains to Issue 4:**

*All-the-while, I worked diligently and professionally, and tried to meet my personal goal of getting in the top five rating zone for the Charleston radio market, even if I was only working on Saturdays and Sundays, 3-7pm.*

*Furthermore, I had already shown a considerable increase from the 2001 Fall book, over the 2001 Winter book to number six (5.9 share – 35-54 demo) and by the Spring Book, the ratings had increased to a number ONE (11.3 share) for Saturdays.*

*Furthermore, it was, and I believe it continues to be, the highest ranking EVER in ANY day part, since the inception of the COOL 105 format.*

*And, Sundays went from a tied third (6.5 share) to a number TWO (10.7 share) for 35-54 demographic. Persons 12+ on Saturday went from a six ranking to a three, and on Sunday went from a ten to a number four. Overall, all ratings increased for all demos and all were in the top five for both my day parts, Saturday and Sunday 3-7pm.*

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### **EEO Complaint as it pertains to Issue 3, 4 and 5:**

*But, I soon began to believe that this great, first, accomplishment meant nothing to LM Communications. Especially after my year anniversary, when I asked if it would be possible to receive a raise based on my performance, initially, but also because I had become aware that other part-time white employees were making as much as \$3.00 an hour more than I was for doing the same type of work, and same type of responsibilities. Furthermore, these other part-time employees were offered additional income by being scheduled for live remotes. During my entire tenure, I was only scheduled for one remote and that was around mid January 2002.*

*Additionally, I was lead to believe the raise would be forthcoming, after inquiring about it several times, although it never did. Not even a bonus for a job well done!*

*The realization became even more painfully obvious when other part-timers were being hired at a greater rate of pay than I had started and ended with, even though I had more experience, education and tenure with the radio station. I even trained*



*some of these inexperienced part-time employees.*

*I also, grew tired of being used. Used to fill in for the day parts I was not suitable enough to be considered for on a full time basis, but good enough to be a “fill-in” when the others were out on vacation for the holidays or whatever. Additionally, I was not compensated at the same amount of salary as the announcers I filled in for.*

### **EEO Complaint as it pertains to Issue 1, 2, 3, 4, and 5:**

*Furthermore, it affected me because, I am of African-American descent and I viewed my position as an opportunity not just a job. An opportunity to prove that I was able and capable of bringing in high ratings, as well as being accepted in the community on many diversified levels.*

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*Over time, I began to realize that African-Americans, in all capacities, were and still are being cheated by a station that is using their musical roots for profit while ignoring their contributions in the community and professional sector.*

### **EEO Complaint as it pertains to Issue 3, 4, 5 and 6:**

*Additionally, while sitting in a staff meeting, on August 20<sup>th</sup>, 2001, a mandatory meeting that had been scheduled for both COOL 105 & 98 Rock programming staffs, a comment of curiosity as to why I had attained such high ratings was tossed about. I took the opportunity and made the comment that I believed the station as a whole would receive increased ratings if air shift personnel stopped voice tracking their shifts all the time.*

*The GM, Charlie Cohn, then implied that this was not a significant issue and had nothing to do with the ratings. Later, I wished I had of thought to say to him, if he truly believed that, then perhaps he should have no air shifts at all, perhaps even, he should go home and just let the station run itself. How much money would that save the station!?! (rhetorical)*

*Furthermore, the other part-time employees who were getting paid higher wages than me for the same type of work were voice tracking their shifts rather than doing them live.*

*Part-timers were only supposed to be compensated full hourly wages for the live hours and reduced time reported hours for the hours they voice tracked. Those same part-time employees were paid full wages and higher wages for voice tracking, while I was the only part-time employee that did not voice track and physically worked my assigned shift hours for lower wages and did more work.*

*The meeting had been scheduled to initiate weekly staff meetings, and to discuss ways to enhance the station(s) marketability in order to increase market share.*

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*During this meeting, I heard my fellow radio announcers complain about how they wished our format was more like Oldies 102.5; how they liked the “other” music much better; or how certain R&B songs got on their nerves, especially certain parts that were just nerve wrecking, or why didn’t we play more so-called, non-genre specific, beach music.*

*When I asked what defined “beach music,” it turns out to be genre specific R&B oldies, ethnic to the African-American listener, urban rhythm and blues, plain and simple. I guess “beach music” or “rhythmic music” is considered a more acceptable term for the white listener or businessman they try to sell their advertising to, rather than just saying R&B oldies.*

*Hearing these remarks offended me. To an African-American listener, and demographic listener, that certain part of the song, the ethnic, urban sound, was the heart and soul of the song for us! It irritated and offended me to realize that these white announcers and staff were not concerned, and did not care about the music or the African-American listeners in our community.*

*In fact, on several occasions they indicated that if the music couldn’t be shagged to they didn’t care about it and weren’t that familiar with it anyway. Perhaps, in part, this is why the ratings continued to stagnate.*

### **EEO Complaint as it pertains to Issue 5 and 6:**

On February 13, 2002, a mandatory staff meeting was scheduled to introduce the new PD, Lee Kent. The GM, Charlie Cohn, made a brief speech and during that speech gave the staff some reasons as to why a decision had been reached to hire a new PD, specifically, for COOL 105. Mr. Cohn indicated that the former PD Mike Allan was not able to effectively manage two completely different style radio stations and was not giving 100% to either, so the decision had been made to have one PD for 98 Rock and another for COOL 105.

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**During this time it was also indicated by Mr. Cohn that another reason COOL 105 was not doing well in the ratings was because air checks of the on-**

**air announcers were not being conducted on a frequent basis by the previous PD, Mike Allen.**

**Mr. Cohn asked the other two part-time staff members, Linda and Skip had they been doing air checks. They indicated they had not. At that time, I indicated that I had been receiving air-checks on a regular basis from Mike Allen. Mr. Cohn seemed surprised by this revelation and he implied that the reason must have been because I was new.**

**To the contrary, I informed him that I was the senior member of the current COOL 105 staff. As Linda, nor Skip were employed with the station at the time I was hired and didn't return or arrive until 5 and 9 months after I was hired, respectively. In all actuality, I'd been with LM Communications longer than even Mr. Cohn, as he did not become the General Manager until April or May of 2001.**

**Furthermore, I indicated to him the other reason why I received frequent air-checks was because as an on-air announcer, it was one of my professional responsibilities to be in a position to be critiqued at any time and no one had to remind me of that. Additionally, I had air check tapes at home to cover every time I've been on the air, since October 2000.**

**Mr. Cohn, side-stepped the issue when Linda began talking about how things used to be at the station when she'd been there, before she was fired by PD, Ken Cason.**

**Here, and again, I realized my input as an employee was regarded as insignificant and/or dismissed, perhaps, just because I was not part of the elite clique.**

**Eventually, I grew tired of being associated with a small group of**

small minded individuals, who through their CLIQUE association with the GM, Charlie Cohn, and the like, were being allowed to perform substandard work; make numerous mistakes with no consequences; and use crutch excuses for their mistakes, while embarrassing and downgrading the true capability of what should have been an outstanding radio station, in all day parts, all the time.

And, while being compensated with wages they were not earning and wages higher than what I was being paid for doing the same type of work.

**EEO Complaint as it pertains to Issue 5:**

There are no sales associates that are African-American and at the time of my departure, there were no African-Americans or any other minority in the Programming department, either. The only full time African-American employed by *the station, at the time of my departure, was the receptionist.*

**EEO Complaint as it pertains to Issue 6:**

My last straw came on December 30<sup>th</sup>, 2001. That's when upon arriving to the station at my usual time (30 mins before my air shift), I noticed that Linda Logan had not paid attention to the posted schedule or music log and voice tracked into my first hour.

Upon calling Linda to explain why I had deleted the 1pm voice tracks, Linda proceeded as follows:

**"Fuck you Trish!"** In effort to curb the tone of the conversation back to a professional one, I explained to Linda that I'd been starting on Sunday at 1pm for several weeks now and asked had she forgotten.

Linda proceeded to be unprofessional, vulgar and nasty in tone by saying,

**“You’re so fucking greedy ... You want every fucking thing for yourself” and then she hung up the phone. The PD, Mike Allen, and I spoke briefly and agreed I would come in early the next morning, Monday, December 31<sup>st</sup>, 2001, to discuss the situation further.**

**Upon doing so, I expressed, to Mike, my disgust with Linda and the remarks she had made. I asked Mike to inform Linda to keep her distance from me and not to say anything to me, at all, unless it was strictly professionally related, as Linda’s remarks to me were unprofessional, unacceptable, unwarranted, unprovoked, and I would not tolerate them in the future.**

**Nor, would I accept the “I was frustrated or I didn’t take my Prozac today” excuse because it was my belief Linda meant to say what she said, and obviously had been wanting to make the statements for a while now.**

**Mike also suggested that I not discuss this matter with anyone else. I informed him that I had already told Michael Hanahan, Ray, Bobby Collins, and Stevie Byrd the Sunday afternoon of the incident, and to Mr. French that Monday morning. Mike asked me not to talk to anyone else about it and that he would handle it.**

**My belief of Linda’s true intent was further substantiated, on Wednesday, February 27<sup>th</sup>, after a meeting with the new PD-Lee Kent, Linda saw me in the hallway and asked if she could speak with me on the back stairs. This would be the first time we’d had a conversation since the December 30<sup>th</sup> incident.**

**During our conversation, Linda indicated to me that she’d heard I was thinking about leaving the station and wanted to ask me if I was sure about my decision because she’d hate for me to leave and be unhappy.**

**I assured Linda that whenever I decided to leave the station, I would not feel unhappy afterwards as I always have something positive to**

**do. And, I further assured her that her unprofessional remarks to me earlier in the year was only a small factor in my decision to leave, and the only thing it did was cause me to decided to leave sooner than I had planned.**

**Also, that the level of unprofessionalism displayed within the station by some of the staff, petty gossip and innuendo had set a negative tone to an environment I had once enjoyed being in.**

**Linda went on to state the she and some others at the station had felt, that I acted like I thought that I was “better than anybody else.” I promptly informed Linda, that these thoughts are in her mind or whoever else’s mind that wants to think about it.**

**However, I did indicate that I do carry myself in a professional manner at all times and I take what I do professionally and personally very seriously.**

**Furthermore, I do not intend to “ever” lower my standards to fit into a group that accepts substandard and any old excuse for being substandard will do ... as the “norm.”**

**Nor, have I ever or would I ever treat anyone without dignity or respect, use vulgarities like they do on a consistent basis, nor use some lame excuse to do so.**

***It is obvious and seems to be a complacent and accepted practice to behave unprofessionally and use explicit vulgarities in the work place of LM Communications radio stations in the Charleston market.***

**12**

**Furthermore, on Saturday, March 9<sup>th</sup>, 2002, during the Charleston’s Promise Children’s Festival at Brittle Bank Park, Linda Logan along with her husband, came to where I was playing music for the festival. I thought she was there to promote the station.**

**But there, while I was working on the platform, playing the music for the children’s festival, Linda approached the platform and proceeded to rant and rave about how angry she was with Lee Kent. Linda told me that Lee**

Kent “*is a fucking asshole*” and proceeded to tell me how Lee had written her a four page Memo and air check, as well as about the Memo Lee had written to Skip, who by the way is taking his to an attorney.

Linda then proceeded to take the Memo from her purse and show it to me by saying, “*Here, you need to read this crock of shit!*” Then she started talking about how Lee had really “*fucked up*” by “*pissing*” Bruce, the Engineer off, and that Bruce had quit the station and had thrown his keys and cell phone on or at Charlie’s desk and that now they were going to have to contract for his business and that because of “Lee’s stupidity,” Lynn Martin was getting ready to “pay out the ass” because Bruce was “really going to charge them for his services now.”

In March, I contacted Mr. Lynn Martin in writing, and provided him with the same information. Mr. Martin eventually responded to my complaint sometime in May and basically implied that some of my statements were not substantiated. I spoke with Mr. Martin on the phone and informed him that I could prove everything I had disclosed to him.

Mr. Martin asked me what did I want at this juncture. I told Mr. Martin, I believed I should, at least, be compensated for the differential in the wages of what I was being paid and that of the other part-timers while I was an employee of his. Mr. Martin told me that he considered my request as null and void since I was no longer an employee of his company.

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*Mr. Martin further stated that he felt threatened because I had implied in my letter that I would seek legal remedy through an attorney or the EEOC.*

*Mr. Martin went on to suggest that he believed I possessed “genuine passion” for the radio station and that if I didn’t want to burn bridges and hopefully one day return to the radio station if an opportunity became available that I should reconsider my position.*

*A couple of days later, I spoke with Mr. Martin in effort to gage his sincerity about our conversation, the material I’d shared with him regarding the blatant violations of the EEOC, FCC and other business, ethical and morale issues of our society and its standards for the workplace. I hoped for and out of respect toward him, that he genuinely wanted to correct the problems and issues that I had brought to his attention.*

*Mr. Martin informed me that he was planning a visit to the station the following week and suggested that I take my resume and a*

*demo tape by the radio station, but that I should wait until after his scheduled trip. And, that the Monday following his visit, I should ensure that I submit my resume and demo to the Program Director.*

*After Mr. Martin's visit to the station, I learned from two employees that the station was looking for someone to replace the midday part-timer, Linda Logan. I made sure I submitted my resume and demo as Mr. Martin had suggested I do. Then, I called to inform Mr. Martin that I had done so about a week later, after I had not heard from anyone. I never heard from Mr. Martin again, nor anyone from the station. Again, I felt discriminated against, duped, cheated and lied to.*

*Just when one would think the degradation and discriminatory insults had ended; I received a telephone call on Thursday, July 25<sup>th</sup>, from the GM, Charlie Cohn. He left me a message telling me he had been trying to contact me and that he "absolutely" had to contact me and left a number for me to reach him. I contacted him and we scheduled to meet in his office on Friday, July 27<sup>th</sup>, at 12:30 p.m.*

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*To summarize our 30 minute meeting, I was basically offered "an opportunity to make some money on the side." Mr. Cohn suggested that if I knew of "2 or 3 other, hard working, conscientious, intelligent black people who could "penetrate the black community" in effort to persuade black business owners to buy advertising on COOL 105, then we all could share "in the pot of money." He would get "the most" of course, because it's his "radio station," and the 2 or 3 black individuals that I coerced into and trained in working with me and him, would get some and I would get some of the money.*

*Mr. Cohn admitted to me that they had come to realize that some of the issues I had brought to the management's attention in the past when I was a part-time employee, regarding the "black community" was correct. He also stated that "out of all the people who had worked at the radio station," I was the "only one who always talked about the black community," and that this was an area where they "a bunch of white folk" were not able to penetrate, thereby, not generating 30 to as much as 60% of the potential revenue in the black community."*

*Mr. Cohn further stated that since I had always expressed a passion for the station that perhaps I could offer some additional insight, ideas and such to help them know how to accomplish their goal.*

*Mr. Cohn further suggested that if I knew 2 or 3 other "black people" that would be interested in this kind of situation, it would be a lot easier than placing an ad in the paper. And, before he started talking with people whom he knew nothing about, he would offer this opportunity to me, if I knew of these kind of people, because*



*he knew that he did not know of any.*

Mr. Cohn, also indicated that there was not need to rush into a decision at this time. He suggested I take my time and think about what he was offering and if it was something I'd be interested in doing, he'd like to have his "game" in place by September. Mr. Cohn made it clear that he didn't want to deal with interviewing "black people" or going through the hassle of advertising for them.

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Technically Mr. Cohn has no legal way to advertise for minorities to be used the way he intends to use them without violating EEO policies. And, by him not legally and legitimately advertising under established EEO guidelines he is in violation ... Certainly an ad in the paper such as:

**"ATTENTION ... COOL 105 RADIO STATION & WHITE GENERAL MANAGER SEEKS 2 OR 3 HARD WORKING, CONSCIENTIOUS, INTELLIGENT, BLACK PEOPLE TO PENETRATE THE BLACK COMMUNITY AND BLACK BUSINESS OWNERS IN CHARLESTON, SC AND SURROUNDING AREAS IN EFFORT TO GENERATE REVENUE FOR MY RADIO STATION AND MAXIMIZE MY PROFIT THAT I AM NOT ABLE TO ACHIEVE ON MY OWN BECAUSE I DON'T KNOW ANY, AT ALL ..."**

On July 31<sup>st</sup>, 2002, I received an email referring me to a site where I was able to access and download a 112 page document in which 36 of the pages, that I have provided as enclosures, were communications about me directly or referring to me, my employment, circumstances regarding my employment and issues concerning my re-employment within the LM Communications management system.

These enclosures, that I submit along with my formal complaint, further validate and substantiate my initial concerns and provide credibility to my allegations and warrant an investigation into allegations that are in direct violation of Title VII of the Civil Rights Act (Title VII), Equal Pay Act (EPA), and the Civil Rights Act of 1991, as they pertain to the illegal and unethical business practices of L. M. Communications Inc.; L. M. Communications of South Carolina, Inc.; L. M. Communications II of South Carolina, Inc., et al.,

**1300 Greendale Road, Lexington, KY 40511 and 59 S. Windermere Blvd,  
Charleston, SC 29407.**

**These enclosures were provided to me and abstracted from the PD, Lee Kent's LM Communication's management documents while an employee of LM Communications who had been hired in January 2002 and then let go in July 2002.**

**16**

Whatever version of documents that are in the case file that may or may not be sealed do not address these letters. These letters are to the EEOC to start her filing process. The actual EEOC complaint was filled in by the EEOC from the final version of these letters and sent to Ms. Thompson for signature.

I have a copy of the total EEOC complaint filed by Ms. Thompson, which is included as evidence in my case filed with the EEOC, which has not been sealed.

The following letter from The Reverend Joseph Darby to Ms. Thompson, forwarded from my wife's hot-mail email account establishes the involvement of the NAACP in this case.

It refers to a name that was never mentioned in Ms. Thompson's case or my case again, Dwight James, the Executive Vice-President of the South Carolina NAACP.

The Reverend Darby may have meant well in his handling of the discussions and issues presented to him by Ms. Thompson but the outcome was a total and complete destruction of the basic civil rights of any American.

>From: OnlyOnePatriciaT@aol.com

>To: suesiekent@hotmail.com

>Subject: First Response ...

>Date: Mon, 29 Jul 2002 10:32:14 EDT

>

>-----Original Message-----

>From: Joe Darby [mailto:joedarby@worldnet.att.net]

>Sent: Sunday, July 28, 2002 11:36 PM

>To: Patricia

>Cc: Dwight James

>Subject: Re: How Would I Go About

>

>

>Ms. Thompson,

>

>Thanks for the info. All direct action has to be approved by our State

>Executive Board, so I'm forwarding this to Executive Director Dwight

>James

>in Columbia. You can expect to hear from him, and can reach him at

>803-754-4584.  
>  
> >From what you say, a boycott may be a moot point since I wasn't even  
>aware  
>of the station and they won't be able to draw a black market share in a  
>competitive market like Charleston unless they get some black "air"  
>talent.  
>If you'd like to discuss this further before you hear from Dwight,  
>please  
>page me at 814-8764.  
>  
>Thanks,  
>  
>Joe Darby

The entire situation has been a horrible experience. And since your letter to me in response to my informing Ms. Price that a meeting had been set up between Mr. Sanders and myself and that I was agreeable to that meeting, asked me to get back in touch with you, if it appeared there was a need to take this issue to the other two federal government departments that were mentioned in my first letter: I now must respectfully request that the Federal Bureau of Investigation immediately commence a full investigation into corruption in the EEOC and the connection with the NAACP, that a thorough investigation and subsequent criminal prosecution be completed in a timely manner so no other civil rights will be violated.

I also again request the assignment of my current EEOC case be placed with a competent and impartial professional within the EEOC and promptly prosecuted.

I must also establish the need for your intervention in the original FBI case, the original FCC filings that were ignored.

We were fearful for our lives under the threatening actions of a radio station out to remove the person they perceived might attempt and then did attempt to hire an African American female fulltime in a federally licensed broadcast facility and supported her rights under Title 7 by invoking my rights under Title 7.

Now we have the NAACP and the EEOC itself, as well as the radio station, the radio station's attorney and Mr. Bill Sanders personally to be concerned about.

We have therefore taken all documents in this entire case and sent them to another state where they are safe and secure and will be followed by a copy of this letter with instructions to make it public should anything happen to either I or my wife. The package will remain sealed until it is, God forbid, ever needed to be released.

It may sound like a story from a Hollywood screenwriter but I can assure you, the email documents contained above are kept with appropriate tracking headers, the cell phone messages from Mr. Sanders are retained and unavailable to outside erasure, and emails and correspondence from employees within L.M. Communications are retained as they deal with motive and the knowledge others had of both Ms. Thompson's situation and mine.

A reference in the following email with all responses from Mr. Sanders implicates the 'legal dept' in being responsible for a decision of jurisdiction. The letter also includes my providing the legal document where jurisdiction was mandatory and did apply, followed by his anger for my raising a legal issue with him and his announcement that the EEOC would not be taking this case to court anyway.

An investigation had not occurred. A fact-finding meeting had not occurred. Justice was not served.

Return-Path: <BILLY.SANDERS@EEOC.GOV>  
Delivered-To: lkh@knology.net  
Received: (qmail 7320 invoked from network); 14 Mar 2003 15:02:51 -0000  
Received: from unknown (HELO chi6-2.relay.mail.uu.net) (199.171.54.99) by spamlite5.knology.net with SMTP; 14 Mar 2003 15:02:51 -0000  
Received: from HQF2.eeoc.gov by chi6sosrv11.alter.net with SMTP (peer crosschecked as: [64.35.224.3]) id QQofzo26206 for <lkh@knology.net>; Fri, 14 Mar 2003 15:02:49 GMT  
X-Priority: 3  
X-MSMail-Priority: Normal  
Received: from HEADQUARTERS-Message\_Server by HQF2.eeoc.gov with Novell\_GroupWise; Fri, 14 Mar 2003 10:02:48 -0500  
Message-ID: <se71a8c8.079@HQF2.eeoc.gov>  
X-Mailer: Novell GroupWise Internet Agent 5.5.6.1  
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165  
Date: Fri, 14 Mar 2003 09:57:54 -0500  
From: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>  
To: <lkh@knology.net>  
Subject: Re: Jurisdiction does legally apply  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="-----\_NextPart\_000\_643C\_01C3422F.5F61D8D0"

This is a multi-part message in MIME format.

-----\_NextPart\_000\_643C\_01C3422F.5F61D8D0  
Content-Type: text/plain;  
charset="ISO-8859-1"  
Content-Transfer-Encoding: quoted-printable

I just got off the phone with the Radio station attorney and let him know =  
that we have jurisdiction so I am scheduling a Fact Finding Conference for =  
April 24/25. He has to check with him people and see if they are available =  
for those dates.

>>> "Lee Kent Hempfling" <lkh@knology.net> 02/06/03 11:07AM >>>

Please excuse me for asking a direct question sir but if all this work has =  
been put forth on a case you have no intention of prosecuting then what is =  
the point of the investigation? I expected that might be the case since I =  
am sure your case load is quite heavy and I expected to persue the case =  
legally with an attorney when it either reached the point where it was =  
unable to be negotiated (if that ever happened) but under no circumstances =  
was I under the impression that legal information from the defendant was a =  
bad thing... **If you are not going to persue this case at all why did you =  
take it on? Why did you tell Ms. Thomspson you would be handling this case =  
personally? Was it because you had to? I was under the impression that you =  
were acting in the best interest of the defendant but your attitude tells =  
me you are acting in your own best interest. HOW DARE YOU , a civil =  
servant tell a defendant not to provide LEGAL information you either can't =**

**come up with on your own or do not have the ability to come up with on your own.** I have no intention to act like a jerk here. My intention is to fulfill what the case was filed for. My argument is not with you. **Here it is, the FIRST correspondence I receive from you in MONTHS about this case and you dare to yell at me for telling you the job is not as hard as your legal team thought it was?** I don't understand your attack sir. I have seen nothing sir. So what I see is only what you have just told me. **The only contact we have had on this case has been through your friend Trish = Thompson also a defendant in another case.** Are you dropping her's too? I will not ask for my right to sue, not yet. I will not stoop to attacking you. The case will proceed under EEOC requirements and then be back involved when it goes to real court. **Mr. Darby understandably did not = expect lip service.** My case is thorough and already made for you. I just made the case for you regarding jurisdiction. And I get yelled at for = helping my own case? **Who is your supervisor?**

----- Original Message -----=20

From: BILLY SANDERS=20

To: lkh@knology.net=20

Sent: Thursday, February 06, 2003 10:50 AM

Subject: Re: Jurisdiction does legally apply

I appreciate what you are saying but don't tell us how to investigate **and = every thing you see ain't always how it is.** We will make the decision on = our part and if you want to take this to court all you have to do is send = me a letter requesting your Right to Sue because even if we have jurisdic= on it is not a case we will be taking to court so if you want to go to = court just request your right to sue.

>>> "Lee Kent Hempfling" <lkh@knology.net> 02/06/03 10:47AM >>>

Mr. Sanders,

Thank you for your reply. I have performed the work necessary for your = legal department to make the correct non-intimidated judgment. It comes = from EEOC Notice 915.002 dated 5/2/1997 and clearly defines the employees = within the defendant's employ and or management as qualifying under legal precedence.=20

There can be NO arbitrary judgment by your legal team. Your team must = follow the rules established by the EEOC as outlined below and I am = surprised the legal team was either not aware of this ruling and regulation= interpretation or failed to look it up.  
=20

This entire document is available at <http://www.eeoc.gov/docs/metropol.html>=

.

According to this EEOC OFFICIAL DOCUMENT you must count all part time = employees, all temporary help employees and all employees of other = companies working with and or under the control of the same management. It = is a cut and dried argument and LM's deceptive practices shall not under = any circumstance impeded this procedure.  
=20

Jurisdiction=20

=20

The problem seeking legal opinion from the EEOC in Lee Kent Hempfling vs. L.M. Communications is one of interpretation by the defendant for the sole purpose of eluding accountability, which is the cornerstone concept of the Title VII act.

=20

42 U.S.C. =A7 2000e-2. Title VII defines "employer" as "a person engaged in an industry affecting commerce who has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, and any agent of such a person\*." 42 U.S.C. =A7 2000e(b). Title VII therefore covers an employer who has fifteen or more employees on his payroll for at least twenty weeks during a given year. Once coverage is established in a given year, Title VII coverage will extend through the following year, even if the number of employees falls below the minimum.

As to what is an "employee," the statute is not limited to traditional definitions of employees. "Employee" includes all who "are susceptible to the kind of unlawful practices that Title VII was intended to remedy."<sup>65</sup> Thus, Title VII may apply even if the employee is an independent contractor=

.  
=20

Employees who are susceptible to the kind of unlawful practices that Title VII was intended to remedy include all those workers who come under the same management and as shown above may also even apply to an independent contractor.

=20

From=20

EEOC NOTICE

Number 915.002=20

Date 5/2/97

Refer to: the entire text below as well as this section:

I have highlighted the relevant sections in RED. Considering the weight of this case and the exuberance of the defense's attempt to defray the charges the total employee count must include all persons in a 'relationship' with the employer. That would include.

FULL TIME:

Charlie Cohn

Ken French

Bob Brooks

Leslie Twigger

Denise Moseley

Dan Williams

Joel Barnes

Jim Goulsby

Nancy Sellers

Mike Allen

Lee Kent

John Majhor

Linda Logan (Grumbein)

Tom Bolt

Bobby Stagg

Lynn Martin (is an employee of his own company)  
Pam the book keeper accountant

Part Time:

Trish Thompson

Stevie Byrd

Jessica Mickey

Mark Scott

Ray Turner

Tom Bolt's afternoon drive predecessor (don't remember his name)

Tom Bolt when he was part time before I left.

The Bruce engineer who was full time when I was hired and for weeks =  
thereafter then contract labor.

THREE part time persons working for 98Rock.

and more

Plus:

Temporary labor

Three different receptionist persons the last who was hired to replace =

Denise Moseley

after Denise left without public application of the position.

A grand total of 31 persons qualified to meet the requirement as set =  
forth in your own rules.

There can be NO argument over whether these persons were in a 'relationship=  
' with the employee (me) and the employer (LM Communications) regardless =  
of what station they were paid for they all worked under the same =  
management and under the same ownership.

By their own payroll and management processes there were no less than 16 =  
persons not counting myself who were directly involved FULL TIME in the =  
management and administration of the station I worked for who also =  
performed the same tasks for the other station. The law requires they be =  
counted as one unit of employees and to stop the time consuming harrassment=  
perpetrated by LM Communications. In my opinion, fines are due against LM =  
Communications for dragging this process out.

=20

Consult EEOC Enforcement=20

Guidance No: N-915, "Concepts of Integrated Enterprise and Joint=20

Employer," May 6, 1987, and EEOC Enforcement Guidance No: N-917-

002, "Employment Agencies," September 20, 1991, 8 FEP Manual=20

(BNA) 405:6951 (Section I, C.). Such employees should be=20

included in Respondent's employee count.

=20

The conclusion is obvious from this document:

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If the jurisdictional prerequisite is not met, determine whether=20

the Respondent is integrated with another employer. See EEOC=20

Policy Statement No: N-915, "Concepts of Integrated Enterprise=20

and Joint Employer," May 6, 1987, for a discussion of how to=20

determine whether the Respondent is integrated with another=20

employer. If the Respondent is integrated with one or more other=20

employers, determine whether the combined number of employees of=20  
the integrated employers meets or exceeds the jurisdictional=20  
prerequisite.

=20

L.M. Communications is an entirely integrated establishment. All employees  
Are subject to the same direct and top management.

=20

The arguments of not complying with jurisdiction are nothing but a ruse  
To escape the law and stop further proceedings through intimidation and  
Elongating the processing time.

=20

As the plaintiff I demand a judgment that L.M. Communications did have  
During the question time period more than the total required employees to =  
qualify for EEOC jurisdiction and there is NOTHING in EEOC documentation =  
that

Supports otherwise.

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The entire document:

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The U.S. Equal Employment Opportunity Commission

#### EEOC NOTICE

Number 915.002=20

Date 5/2/97

=20

1. SUBJECT. Enforcement Guidance on Equal Employment=20  
Opportunity Commission & Walters v. Metropolitan Educational=20  
Enterprises, Inc., 117 S.Ct. 660 (1997).

=20

2. PURPOSE. This enforcement guidance analyzes the=20  
Metropolitan decision and provides guidance on how to count=20  
employees when determining whether the Respondent satisfies the=20  
jurisdictional prerequisite for coverage under Title VII, the=20  
ADA, and the ADEA.=20

=20

3. EFFECTIVE DATE.

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4. EXPIRATION DATE. As an exception to EEOC Order 205.001,=20  
Appendix B, Attachment 4, =A7 a(5), this Notice will remain in=20  
effect until rescinded or superseded.

=20

5. ORIGINATOR. Title VII/EPA Division, Office of Legal=20  
Counsel

=20

6. INSTRUCTIONS. File after =A7 605.8(b) of Volume II of the=20  
Compliance Manual.=20

=20

7. SUBJECT MATTER.

=20

I. Introduction

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The Supreme Court has held that the "ultimate touchstone" in determining whether an employer has a sufficient number of employees to satisfy the jurisdictional prerequisite for coverage under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e(b), is "whether an employer has employment relationships with 15 or more individuals for each working day in 20 or more weeks during the year in question." Equal Employment Opportunity Commission and Walters v. Metropolitan Educational Enterprises, Inc., 117 S.Ct. 660, 666 (1997). The Court adopted the EEOC's position that employees should be counted whether or not they are actually performing work for or being paid by the employer on any particular day.

In Metropolitan, the Court interpreted § 701(b) of Title VII which defines a covered employer as one who "has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year." The Commission has interpreted this provision to include employers who have an employment relationship with 15 or more employees for the relevant days, regardless of the daily work schedules of the individual employees. See EEOC Policy Guidance No: N-915-052, "Whether Part-time Employees Are Employees Within the Meaning of § 701(b) of Title VII and § 11(b) of the ADEA," April 20, 1990, 8 FEP Manual (BNA) 405:6857, EEOC Compliance Manual (CCH) & 2167 ("part-time employees are counted whether they work part of each day or part of each week").

The method the Court adopted is often called the "payroll method" because "the employment relationship is most readily demonstrated by the individual's appearance on the employer's payroll." *Id.* at 663-64. However, the Court stressed that "what is ultimately critical is the existence of an employment relationship, not appearance on the payroll." *Id.* at 666. The Court upheld the EEOC's interpretation, reasoning that "an employer 'has' an employee if he maintains an employment relationship with that individual" on the day in question. *Id.* at 664 (emphasis added). The Court rejected Metropolitan's interpretation that an employer "has" an employee for a particular working day only when it is actually compensating the employee for that day.

The Court also disagreed with Metropolitan's argument that the EEOC's interpretation rendered the statutory phrase "for each working day" superfluous. Without the phrase, the Court said, it would be unclear how to count an employee who departs in the middle of a calendar week or an employee who departs after the end of the workweek, but before the end of the calendar week. *Id.* at 664-65. The Court held that "all one needs to know about a given employee for a given year is whether the employee started or ended employment during the year and, if so, when. He is counted as an employee for each working day after arrival and before departure." *Id.* at 665-66.

The Court noted Metropolitan's argument that the EEOC's interpretation could produce some "strange consequences," such as counting an employee who works irregularly only a few days a month. Id. at 665. However, the Court observed that Metropolitan's approach "produces unique peculiarities of its own." Id. at 665. For example, by counting employees only on the days that they are compensated, a half-time worker who works every morning would be counted, while one who works on alternate days would not. Id. at 665. Also, Metropolitan's approach "would turn the coverage determination into an incredibly complex and expensive factual inquiry." Id. at 665. "For an employer with 15 employees and a 5-day workweek, the number of daily working histories [that would have to be examined] for [a] two year period is 7,800." Id. at 665.

## II. Charge Processing

The Supreme Court's decision accords with the longstanding Commission position that all workers who have an ongoing employment relationship with an employer are counted for purposes of determining coverage.<sup>3</sup> The phrase "for each working day" means simply that an employee is counted as an employee for each working day starting on the day that the employment relationship begins and ending on the last day of the employment relationship.<sup>4</sup>

There should be fewer disputes about the number of employees in an employer's workforce because the Court has made the rules clear and simple. The Commission will assume in the first instance that all individuals who perform work for the Respondent are employees. However, if a Respondent alleges that some individuals are not employees and/or alleges that it has fewer than the jurisdictional prerequisite of 15 employees for Title VII and ADA coverage or 20 employees for ADEA coverage, it will be necessary to obtain and evaluate additional information.

### A. Information to Be Requested from Respondents Who Claim to Fall Below the Jurisdictional Thresholds

Since the information needed will vary from case to case, information requests should be tailored to address the disputed facts. Typically, it will be most effective to focus on records about those workers whose employment status or dates of employment are in dispute. In other situations, it will be more efficient to obtain records of all workers. The types of records that should be sought will typically include:

1. Payroll records and employment contracts relating to relevant workers for the year of and the year preceding the alleged adverse employment action. Include contracts that involve workers provided by temporary employment agencies, contract firms, and other types of staffing firms. For example,

include maintenance workers and security personnel assigned by a contract firm and temporary clerical personnel assigned by a temporary employment agency.

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2. Personnel, payroll and/or contract documents that reflect the dates that the disputed workers began and/or ended their employment relationship with the Respondent.

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B. Determining Who Qualifies as an Employee

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1. Evaluate whether the worker(s) whose status is disputed are employees or are, instead, independent contractors or otherwise not employees. To make this determination, consult EEOC Enforcement Guidance No: N-915, "Title VII Coverage of Independent Contractors and Independent Businesses," September 4, 1987; and EEOC Enforcement Guidance No: N-915.007, "Whether Individuals Who Are Partners, Officers, Directors, or Major Shareholders in Organizations May Be Considered Employees Under Title VII, ADEA, and the EPA," July 14, 1987.

=20

\* Example: The Respondent is a publishing company with fourteen employees. It has recently installed a new computer system in its office. The Respondent contracted with an expert computer technician (worker) to perform a myriad of duties relating to the installation of, and training on, the new system. The worker's contract will expire in six months. The Respondent alleges that this worker is an independent contractor, and not an employee. The Respondent does not supervise the worker or control the details of how she performs her job. The worker is engaged in a distinct occupation which requires special knowledge and expertise. The contract, and thus the relationship with the Respondent, will end at a specified time. The worker is not paid by the hour, but paid to complete the specific job. In this case, the worker would be found to be an independent contractor and not counted as an employee.

=20

2. Determine whether the employees have an employment relationship with the Respondent. Some employees who perform work for the Respondent may be employees of other businesses, such as temporary employment agencies or contract firms, but also be employees of the Respondent. Consult EEOC Enforcement Guidance No: N-915, "Concepts of Integrated Enterprise and Joint Employer," May 6, 1987, and EEOC Enforcement Guidance No: N-917-002, "Employment Agencies," September 20, 1991, 8 FEP Manual (BNA) 405:6951 (Section I, C.). Such employees should be included in Respondent's employee count.

=20

\* Example: A temporary employment agency hires, pays, and assigns legal secretaries to the Respondent's law firm. The Respondent supervises, establishes work schedules, and assigns duties to the secretaries. If the Respondent is dissatisfied with any secretary, it can require the agency to remove him/her. In

this case, the agency and the Respondent exercise sufficient control over the secretaries to both be deemed their employer. The secretaries are counted as employees of both the Respondent and the agency.

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### C. Counting the Employees

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The next step is to count the employees. The investigator should do the following:

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1. Determine the first and last day of the Respondent's workweek.

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\* Example: The Respondent is a clothing store. The store is open Monday through Saturday. Every day that the Respondent has employees scheduled to work is a working day for the Respondent. Accordingly, the Respondent's workweek is Monday through Saturday.

=20

2. If an employee began employment during either year in question, that employee is counted as an employee for each working day after arrival. For example, if an employee started work on a Friday, that employee would be counted as an employee on that Friday and thereafter.

=20

3. If an employee ended employment during either year in question, that employee is not counted as an employee after his/her departure. For example, if an employee ends his/her employment on Wednesday, (s)he is counted as an employee up to and including Wednesday, but (s)he is not counted after Wednesday.

=20

\* Example: If an employer's workweek is Monday through Friday and during one of the weeks examined, it had fourteen employees plus Employee A who ended his employment on Tuesday and Employee B who started her employment on Wednesday of the same week, then the employer has fifteen employees for each working day for that workweek.

=20

\* Example: If an employer's workweek is Monday through Friday and during one of the weeks examined, it had fourteen employees plus Employee A who ended his employment on Tuesday and Employee B who started her employment on Thursday of the same week, the employer did not have fifteen employees for each working day of that workweek because it only had employment relationships with fourteen employees on Wednesday.

=20

4. To determine the employee count for each week examined in the relevant years: a) calculate the number of workers who were on the payroll; b) subtract any workers who were on the payroll, but were not employees; and 3) add any workers who were not on the payroll, but who qualified as employees of the Respondent. Do

not count any week where the Respondent had employment relationships with fewer than the jurisdictional prerequisite of 15 employees for Title VII and ADA coverage, or 20 employees for ADEA coverage, for each working day of a particular week.

If the jurisdictional prerequisite is not met, determine whether the Respondent is integrated with another employer. See EEOC Policy Statement No: N-915, "Concepts of Integrated Enterprise and Joint Employer," May 6, 1987, for a discussion of how to determine whether the Respondent is integrated with another employer. If the Respondent is integrated with one or more other employers, determine whether the combined number of employees of the integrated employers meets or exceeds the jurisdictional prerequisite.

May 2, 1997

-S-

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Date

Gilbert F. Casellas  
Chairman

1. The Court's analysis also applies to the Age Discrimination in Employment Act of 1967 (ADEA) and the Americans with Disabilities Act of 1990 (ADA), which have similar statutory language. Section 101(5)(A) of the ADA, 42 U.S.C. § 12111(5)(A), defines an employer as one who "has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year." Section 11(b) of the ADEA, 29 U.S.C. 630(b), defines an employer as one who "has twenty or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year."

2. The Court noted that an individual who was on the payroll but who was not an "employee" under traditional agency principles, would not be counted. *Id.* at 666. The converse is also true. An individual who has two joint employers would be counted as an employee of both employers even though the employee may be on the payroll of only one. See EEOC Enforcement Guidance No: N-915, "Concepts of Integrated Enterprise and Joint Employer," May 6, 1987.

3. EEOC Compliance Manual, § 605.8(b)(2), concerning the counting of part-time and temporary employees, was clarified by the Enforcement Guidance on Part-time Employees.

4. The phrase "in each of twenty or more calendar weeks in the current or preceding calendar year" means that the employer

must have the requisite number of employees for twenty or more=20  
calendar weeks in either the current or preceding calendar year. =20  
The weeks need not be consecutive. EEOC Compliance Manual, Volume=20  
II, =A7 605.8(b).  
=20

This page was last modified on July 6, 2000.=20

[Return to Home Page](#)

=20

----- Original Message -----=20

From: BILLY SANDERS=20

To: lkh@knology.net=20

Sent: Thursday, February 06, 2003 8:49 AM

Subject: Re: W-2 Not received

I can't help with you with the W-2 situation and it is beginning to appear =  
that we don't have jurisdiction over L M Communication. My legal dept is =  
looking at their info now and will advise me and I will let you all know.

**I can only wonder if this sequence of events resulted in a common need for both Mr. Sanders and the attorney of L.M. Communications Inc., the NAACP and the EEOC.**

This letter is the follow up from Mr. Sanders.

Return-Path: <BILLY.SANDERS@EEOC.GOV>

Delivered-To: lkh@knology.net

Received: (qmail 23533 invoked from network); 6 Feb 2003 16:20:27 -0000

Received: from unknown (HELO HQF2.eeoc.gov) (64.35.224.3) by spamlite2.knology.net with SMTP; 6 Feb 2003 16:20:27 -0000

Received: from HEADQUARTERS-Message\_Server by HQF2.eeoc.gov with Novell\_GroupWise; Thu, 06 Feb 2003 11:20:23 -0500

X-Priority: 3

X-MSMail-Priority: Normal

Message-ID: <se4244f7.097@HQF2.eeoc.gov>

X-Mailer: Novell GroupWise Internet Agent 5.5.6.1

X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

Date: Thu, 06 Feb 2003 11:15:59 -0500

From: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>

To: <lkh@knology.net>

Subject: Re: Jurisdiction does legally apply

MIME-Version: 1.0

Content-Type: multipart/alternative;

boundary="-----\_NextPart\_000\_642F\_01C3422F.5F5380F0"

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_642F\_01C3422F.5F5380F0  
Content-Type: text/plain;  
charset="ISO-8859-1"  
Content-Transfer-Encoding: quoted-printable

I am not dropping your case nor do I plan on debating legal issues with =  
you. When I have all the information in we will make a decision on whether =  
we have jurisdiction and if we do have jurisdiction we will make a =  
decision on whether or not you have been discriminated against as you =  
allege.

>>> "Lee Kent Hempfling" <lkh@knology.net> 02/06/03 11:07AM >>>

Please excuse me for asking a direct question sir but if all this work has =  
been put forth on a case you have no intention of prosecuting then what is =  
the point of the investigation? I expected that might be the case since I =  
am sure your case load is quite heavy and I expected to persue the case =  
legally with an attorney when it either reached the point where it was =  
unable to be negotiated (if that ever happened) but under no circumstances =  
was I under the impression that legal information from the defendant was a =  
bad thing... If you are not going to persue this case at all why did you =  
take it on? Why did you tell Ms. Thomspson you would be handling this case =  
personally? Was it because you had to? I was under the impression that you =  
were acting in the best interest of the defendant but your attitude tells =  
me you are acting in your own best interest. HOW DARE YOU , a civil =  
servant tell a defendant not to provide LEGAL information you either can't =  
come up with on your own or do not have the ability to come up with on =  
your own. I have no intention to act like a jerk here. My intention is to =  
fulfill what the case was filed for. My argument is not with you. Here it =  
is, the FIRST correspondence I receive from you in MONTHS about this case =  
and you dare to yell at me for telling you the job is not as hard as your =  
legal team thought it was? I don't understand your attack sir. I have =  
seen nothing sir. So what I see is only what you have just told me. The =  
only contact we have had on this case has been through your friend Trish =  
Thompson also a defendant in another case. Are you dropping her's too? I =  
will not ask for my right to sue, not yet. I will not stoop to attacking =  
you. The case will proceed under EEOC requirements and then be back =  
involved when it goes to real court. Mr. Darby understandably did not =  
expect lip service. My case is thorough and already made for you. I just =  
made the case for you regarding jurisdiction. And I get yelled at for =  
helping my own case? Who is your supervisor?

----- Original Message -----=20

From: BILLY SANDERS=20

To: lkh@knology.net=20

Sent: Thursday, February 06, 2003 10:50 AM

Subject: Re: Jurisdiction does legally apply

I appreciate what you are saying but don't tell us how to investigate and =  
every thing you see ain't always how it is. We will make the decision on =  
our part and if you want to take this to court all you have to do is send =  
me a letter requesting your Right to Sue because even if we have jurisdic=

on it is not a case we will be taking to court so if you want to go to =

court just request your right to sue.

We have had enough of this process.

It is time to take this to the level where the country is aware of their civil servant's connections and intentions, where the country is aware of the actions and methods employed using racial discrimination to process racial discrimination.

I will wait doing so, within a reasonable time, until I hear from your office regarding this letter for request of your intervention in acquiring justice from my own government.

In April of this year, Mr. Sanders declared that he wanted to get to work on 'both' of these cases. If a settlement had taken place for Ms. Thompson it appears it was not before Mr. Sanders canceled the only fact-finding meeting he ever set up. Or was it?

Return-Path: <BILLY.SANDERS@EEOC.GOV>  
Delivered-To: lkh@knology.net  
Received: (gmail 10284 invoked from network); 21 Apr 2003 15:09:54 -0000  
Received: from unknown (HELO HQF2.eeoc.gov) (64.35.224.3) by spamlite2.knology.net with SMTP; 21 Apr 2003 15:09:54 -0000  
Received: from HEADQUARTERS-MTA by HQF2.eeoc.gov with Novell\_GroupWise; Mon, 21 Apr 2003 11:09:47 -0500  
X-Priority: 3  
X-MSMail-Priority: Normal  
Message-ID: <sea3d17b.068@HQF2.eeoc.gov>  
X-Mailer: Novell GroupWise Internet Agent 6.5.0  
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1165  
Date: Mon, 21 Apr 2003 11:10:34 -0500  
From: "BILLY SANDERS" <BILLY.SANDERS@EEOC.GOV>  
To: <lkh@knology.net>  
Subject: Re: Jurisdiction does legally apply  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
          boundary="-----=\_NextPart\_000\_6436\_01C3422F.5F5D1DE0"

This is a multi-part message in MIME format.

-----=\_NextPart\_000\_6436\_01C3422F.5F5D1DE0  
Content-Type: text/plain;  
          charset="US-ASCII"  
Content-Transfer-Encoding: 7bit

Lee the Fact Finding Conference scheduled for 4/24 and 4/25 has been postponed because I have to be in Washington on Wednesday. I will reschedule it when I return next week and will give you the date, time and location. I am sorry about this because I want to move on these cases right away before I get tied up with something else so bare with me. Thanks, and if you have question let me know.



He spoke of two cases, Ms. Thompson's and mine.

If her case was indeed settled and sealed then his mention of what she would testify to and what was contained in that case would violate the sealed order.

His letter of this date to me in email said: "I am waiting to hear from their attorney re the Fact Finding Conference."

I will NOT under any circumstances go through a fact-finding meeting chaired by the very criminal that has tainted the case, conspired to destroy the case and now admits in writing what his intentions are in the case, even after being placed on notice by your office's prior intervention. Mr. Sanders has no respect for you, your office, me or the law.

From his letter of this date his intentions are to hold that fact-finding meeting, where he knows in advance what the story the radio station attorney will present in rebuttal is. He used it against me in yet another intimidation act, in U.S. Government email by referring to me as the 'harasser' in his threat.

I demand an FBI criminal investigation into the actions of Mr. Billy C. Sanders of the EEOC, Charlotte office, listed as "Program Manager" on the business card he presented to me at the hotel lobby meeting and the connections between the EEOC and the NAACP.

I also have the business card he presented to Ms. Thompson at their first meeting where having been handed two such cards, Ms. Thompson inadvertently provided the wrong card to me. The card she provided to me contains Mr. Sander's handwriting with his personal home phone number on the front (the same number, 704-563-1672, contained in caller ID from his late night call to me), a name on the back (Scheli & Grossman), with both of his email addresses, EEOC government address and personal att.net address.

The name is spelled wrong on the card. It is for the Schlei & Grossman, Employment Discrimination Law Book.

I demand that the EEOC be compelled to investigate and prosecute my filing with them in a timely manner, as it has already been ONE YEAR since my case was filed, causing a severe hardship on us, with undue hardship placed on our entire family by fraudulent actions and direct discrimination by the federal government represented by a member of management of the EEOC.

I demand an FBI criminal investigation into the 'backdoor' from the NAACP into the EEOC with appropriate prosecution and an investigation into the connection between the NAACP, its executive officers and Mr. Sanders.

I demand an FBI criminal investigation into the actions of Mr.'s Charles Cohn, Lynn Martin, William Allen, Bruce Musso and the others involved in the EEOC case I am now forced to partially make public by these actions, which places that case in a serious potential of being rejected by the EEOC for not having remaining confidential. The guidelines of the EEOC provide the ability for me to contact and inform an attorney of the case. You, Honorable sir, are an attorney.

I further demand an FBI investigation into the potential of a settlement in the Patricia Thompson case before the EEOC.

I have refused to request the right to sue letter from the EEOC, each time Mr. Sanders attempted to lure me into doing so as doing so would have closed the case with the EEOC and would have pretended to quash the knowledge of Mr. Sanders and his connections within the NAACP.

I demand an investigation for the original complaint filed with the FCC to be completed and turned over to the FBI for criminal prosecution.

I also demand the involvement of the United States Attorney General's Office in both investigating an illegal corruption and scandal within the Equal Employment Opportunity Commission, and the establishment of a grand jury to seek indictment against those who have blatantly violated federal law and my rights as a citizen of The United States of America.

This entire case is a fraud of Federal Law and my speaking out against such fraud may place me under the protection of the Qui Tam False Claims Act.

I also request federal assurance of our protection from physical harm during this process.

I am sure even though I cannot afford an attorney, once this case becomes public, I will not have to worry about that issue.

I remain,  
Respectfully Yours;

Lee Kent Hempfling  
53 Muirfield Parkway  
Charleston SC 29414  
Home: 843-225-6310  
Cell: 843-227-1996

Cc: Richard Perry, Chief of Staff  
Office of U.S. Senator Lindsey Graham  
290 Russell Senate Office Building  
Washington DC 20510

SUMMARY: August 13, 2003

EEOC Charge number: 140A201867 filed 8/29/2002, received by EEOC 9/4/2002.

Dates of discrimination inclusive from 2/1/2002 to discharge and 7/25/2002:

} Lee Kent Hempfling: vs.  
}  
} LM Communications Inc,  
} LM Communications of South Carolina Inc.,  
} LM Communications II of South Carolina Inc.,  
} All owners of stock in above companies,  
} Lynn Martin,  
} Charles Cohn,  
} Robert Brooks,  
} Michael Almond,  
} Bruce Musso,  
} Linda Grumbein, et al.

Adverse action took place throughout my employment with LM Communications for my attempt to hire a minority full time staff member. It started before I was hired with attempts to stop the hiring process through intimidation for not having a credit card and last minute reduction of authority, title and salary.

Agreement to accept position was partially predicated on immediate health insurance coverage, which took months of prodding to acquire.

**It continued throughout the employment through email, letter and phone call intimidation, equipment destruction, sabotage of equipment and signal of the station to damage my ratings results and refusal to provide equipment, equipment repairs and refusal to approve all promotional presentations made, other than the first promotion offered. Immediately after my discharge ALL equipment needs were fulfilled and repairs were completed.**

It escalated after being interviewed by the company attorney and owner for allegations made for violation of laws enforced by the EEOC.

It continued through the attempt to order me to violate a rule established by the owner for direct contact with the EEOC complainant.

It continued through prohibition of calling the area code for the main company office, which included prohibition of my family members.

It continued through the use of external relationships to intimidate and threaten through email correspondence.

It continued through refusal to accept an application from an African-American female for a job position that was in the process of searching for a replacement by the General Manager.

It continued through refusal of management to allow me access to the company engineer.

It continued through false accusation of missing commercials during a computer break down period even after the production director informed the general manager that I was not responsible and was in fact the person who brought the issue to the attention of management.

It continued through threats of legal action against me from a former employee who was discharged yet remained in contact with the general manager.

It continued AFTER discharge with the receipt of a claim of responsibility from Bruce Musso including a photo and an audio file.

With continuous praise of job performance by the company consultant I was discharged with malice and in an attempt to hide the retaliatory motive for 'poor performance' of the station. The station has performed worse after I was discharged and continues to perform worse.

The retaliation was the result of malice and reckless indifference to my federally protected rights.

I am entitled to compensatory as well as punitive damages for illegal retaliation from

LM Communications Inv., LM Communications Of South Carolina Inc., LM Communications II of South Carolina Inc., the company attorney and the attorney's firm, the general manager of the station, and the individuals responsible for the retaliatory actions and those individuals used by the company and its employees to assist in the retaliatory actions.

I am further entitled to relief from the deliberate actions of the company to refuse prosecution of these claims through their repeated frivolous attempts to escape jurisdiction.

I am further entitled to the investigation of illegal activity by the FBI and the FCC for laws and regulations violated during the period of employment on behalf of or caused by the company and persons mentioned.

The FCC has ignored the charges filed.

The FBI ignored the charges until I called the field office where an agent refused investigation as the threat on my life was not 'current'. That reasoning would prohibit their investigation of any crime.

Retaliatory Motive:

To stop my participation in Patricia Thompson's complaint;

To eliminate my credibility in opposing illegal discrimination by the company;

To remove me from my position to stop my attempt to resolve such discrimination:

Specific EEOC Compliance Manual Details:

The Protected Employee:

(1) Protested repeatedly

(2) Answered questions of company attorney as assistance of discrimination investigation

(3) Asserted my rights under laws enforced by EEOC, even at first refusing to discuss the issues until granted, by the attorney, the judgment that discharge would not occur from being honest.

Retaliation Charge Asserts:

1. Opposition to discrimination or participation in covered proceedings;

2. An adverse employment action; and
3. A causal connection between the protected activity and the adverse action.

Protected From

1. Complaining to anyone about the alleged discrimination against oneself or others;
2. Refusing to obey an order because of a reasonable belief that it is discriminatory;

I was protected from retaliation, as I had a reasonable and good faith belief that the employment practices I was opposed to were illegal under anti-discrimination laws.

The "Participation Clause" covers me.

Adverse Employment Action:

I was subjected to:

Denial of job benefits as my health insurance that was to start immediately took months to acquire:

Discharge and threats as I was threatened repeatedly with outside legal action and received threats repeatedly including a terrorism inspired threat on my life:

Negative evaluation was provided as the reason for discharge without prior information:

Harassment was continuous as indicated by the time line of incidents.

Suspending access to internal grievance procedure, as I, and my family were forbidden to call the area code of, or contact the owner.

Any adverse treatment based upon retaliatory motive and reasonably likely to deter a charging party or others from engaging in protected activity is illegal.

Retaliation was the motive as:

1. Evidence raises an inference that retaliation was the cause of the challenged action;
2. The employer produces evidence of a legitimate, non-retaliatory reason for the challenged action; and
3. Complainant proves that the reason advanced by the respondent is a pretext to hide the retaliatory motive.

An "inference of retaliation", results from evidence that the adverse action occurred shortly after the protected activity, and the person who undertook the adverse action was aware of the individual's protected activity.

Company's explanation is a pretext to mask retaliatory action.

Poor job performance (performance of the station) was given as the reason for discharge without any prior indication of such insubordination (as well as being branded as a complainer) was cited numerous times for having raised objections to illegal activity.

According to the compliance manual the EEOC takes the position that all anti-discrimination laws provide for compensatory as well as punitive damages for illegal retaliation.

The retaliation was the result of malice and reckless indifference to my federally protected rights.

FOR Lee Urgent

DATE 6/21/02 TIME 11:45 A.M.  P.M.

**While You Were Out**

M. Aretta Jenkins

OF \_\_\_\_\_

PHONE 864-647-4325 (Home)

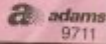
AREA CODE                      NUMBER                      EXTENSION

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>	WANTS TO SEE YOU	<input type="checkbox"/>

MESSAGE

864-656-6557 Office.

- Interested in opportunities w/ WCOO

SIGNED Leslie 

## Summary of Charles Cohn – Patricia Thompson Taped Discussion

Recorded by Patricia Thompson:

The tape is available in four parts, as mp3 files through these links:

[Part 1](#) | [Part 2](#) | [Part 3](#) | [Part 4](#)

### Summary Pertinent To The First EEOC Case and The Present Case:

This tape took place after Lee, was fired and after the comment Dan Williams overheard Bob Brooks make to Cohn, of: "What are we going to do if Lee does this?"

**Trish:** is shocked about Cohn's contact "haven't heard from anybody".

**Cohn:** "A lot of stuff going on.. a lot about things going on." He's curious? 'did you call me or did I call you'.

(Cohn admits in this section that he got Trish's phone number from Denise, the receptionist.)

**Cohn:** "A lot utility stuff going on last couple of weeks. Had to do some stuff that I didn't feel all comfortable about but we just had to do it."

(He starts the proposal to Ms. Thompson.)

Cohn discusses ratings and black/white people listening to the station.

**Trish:** "I dream of having my own radio station."

**Cohn:** "Just a bunch of white people" (a reaction from Trish in between) "Just a bunch of white people!"

Ms. Thompson mentions to Cohn about Lee being 'let go'.

**Cohn:** "... big vacuum with Lee gone... ... feel thing as quick as possible ... ... has to have everything in place by Labor Day! ... "

**Cohn:** says he is not in a super rush, about the 'deal' with Ms. Thompson "We did what we did with Lee for a variety of different reasons, and you know what, Lee was a really good guy and a really bright guy but, there were other issues... so now its just a function of exploring what the possibilities are... although we probably have an issue on everything he's done and they way he's done it... I'm not one to really harbor a grudge or [unintelligible] because I don't agree, ya know what I'm saying? ... ... I do,... I did agree with your concern and your passion for Lee even though if it was up to me, if he would have done it differently if this was the way he felt he needed to do it... ... that's fine, ya know ..."

**Trish:** "Well, the problem is that some of my concerns, when I addressed them to my first, line supervisor, I was told it would be taken care of and it didn't need to go any further because there were some issues that when they occurred I wanted to talk to you, but you were not available, you were out of town and so then, I had to, who I thought, you know, and maybe in that respect you wanted, ummm, as aware of as I thought you were , or Mr. Martin wasn't aware of as I thought he was... and at some point when you have a general manager and an owner of a company and things are happening and your brining these things to someone's attention that should be keeping these people informed and nothings been done about it, then you wonder well, do you not care yourself or does Mr. Martin not care!

So When I fiannly had my full of it and decided t leave, ummm, was to, uh, you know, enlighten him in case he was aware and just decided, Oh Well!, ya know , with her, I wanted to put it in 'formal' format so he would know and I also wanted to do it in case he DID know and I found out that there were same thing he DIDN'T know."

Her discussion was regarding the time before Lee arrived to work at that radio station: as that is what her case dealt with.

Cohn then asks about Ms. Thompson's son, Moe. He made it warn and friendly in front of Denise, the receptionist and the 'other' African American 'employee'.

**Cohn:** Thank you for your time

**Trish:** I appreciate it.

**Cohn:** Nice seeing you again.

**Trish:** Nice seeing you too.

Cohn quickly adds the following:

**Cohn:** How's your son doing?

**Trish:** He's doing fine... uh... in fact, I'm getting to take him to...

**Cohn:** Where does your son go to school?

**Trish:** The University of South Carolina... ... for a minute my mind went blank.... He'll be there on the 4<sup>th</sup>: I'm taking him up there.

**Cohn:** Well where's he going to school?

**Trish:** University of South Carolina!!

There is more talk of Ms. Thompson's son, followed by Ms. Thompson saying goodbyes to Denise.

The full audiotape original continues the play back as Ms. Thompson exits the building, walks to her car, gets in, turns on the car radio, then turns off the tape recorder.

This recorded conversation, recorded by Patricia Thompson, with her full knowledge and consent, recorded on the behalf of her claim before the EEOC, was at no time under the control of any person other than Ms. Thompson, to the best of our knowledge where it was presented to Lee to be transferred to digital and saved on an CD for Ms. Thompson, who promptly provided a copy thereof to Mr. Sanders, according to Ms. Thompson's personal conversation.



**Proof of Federal Felonies By The EEOC  
And L.M. Communications Inc.**

**GOOGLE HAS KILLED THIS STORY FROM WEB SEARCHES IN GOOGLE NEWS BUT IT IS STILL IN THEIR DATABASE. SEE THE PRESS PAGE FOR DETAILS ON A COVERUP OF NEWS BY GOOGLE AND THE UNITED STATES GOVERNMENT'S EEOC!**

The following collection of evidence proves beyond any reasonable doubt that the EEOC conspired with L.M. Communications to destroy the Civil Rights of the plaintiff and in doing so, secure an unlawful license renewal for L.M. Communications and an unlawful settlement with Patricia Thompson, under 'the color of law' in violation of 18 USC 242.

These quotes are directly taken from the March 16, 2004 letter of rejection by EEOC and follow the course outlined in the letter from EEOC on August 20, 2003 as to how the case would be ruled. If Thomas E. O'Neill of the Columbia SC Office of the FBI had bothered to do his job he would have found this evidence and many others in the secured location for this case. He did not bother and purposely confused the criminal acts of this case, after the charge with EEOC was filed with a complaint filed in 2002 for parts of the case before the charge with EEOC was filed.

**"The evidence obtained by the Commission indicates that after five and a half months of employment you were discharged from your position because of unsatisfactory job performance."**

Then why, in all of the EEOC's letter was unsatisfactory job performance, not addressed? Why, in all of the EEOC's letter is a case built for the most disgusting living human being who could ever occupy a work position in this country? Because: IT IS A SCAM!

The reason given at time of discharge was 'poor performance of the station'. But how did the station perform? And if the rest of these reasons are to be considered anything other than outright frauds why was the claim for discharge not including the deductions the EEOC illegally makes?

No reference in the rejection letter is made to any evidence provided by the plaintiff. Why? Sanders had destroyed the evidence provided by the plaintiff and the evidence provided by Patricia Thompson as part of the 'deal' with L.M. Communications Inc. to falsify this case in order to settle her case for a greater sum and to protect the license renewal of WCOO. This is an admission of not using evidence provided by the plaintiff to EEOC. See the EEOC letter of February 9, 2004 showing how their justification for not acting on this case was blamed on the lack of evidence provided by the plaintiff.

**ISSUES:**

- **"The evidence obtained by the Commission"**

The 'Commission' does not claim, nor does it use any evidence provided to the Commission. Only evidence 'obtained' by the Commission. By admission the EEOC refused to consider the evidence provided to it, just as the USDOJ and the FBI refused to consider the evidence provided to them.

- **"unsatisfactory job performance"**

A complaint before the FCC details how the station illegally reduced power during a thirty day period of ratings with the purpose to destroy the potential for job performance. That complaint was provided to the EEOC. Additional documents provided to EEOC when the charge was filed (in a two pound priority mail delivery) detailed how the station withheld and prohibited promotions to damage the station's performance. Of course the station's performance, and therefore that of the Program Director would be used as a reason for discharge when THAT WAS THE POINT OF THE ILLEGAL TAMPERING WITH THE TRANSMITTER AND REFUSAL TO ADVERTISE, REFUSAL TO PROMOTE AND REFUSAL TO HIRE A MINORITY FULL TIME FOR A BLACK MUSIC STATION.

- Email from station consultant Don Hallett July 09, 2002: (after spring numbers were out): "First of all, I haven't been ignoring you in regard to your evaluation of the ARB trends. The teeter tottered? Low cume? Marketing required? In my assessment tracking COOL with its current cume is really hard on any scale, especially in dayparts. But, I admire your take and your detailed work. Nice job."
- Email from station consultant Don Hallett March 19, 2002: "The aircheck sounds great. My God, I think you found a home, Mr. Kent."

- **job performance**

Station performance is directly related to Arbitron Ratings for the market. WCOO had undergone a frequency change that was not announced to the public so any ratings following that change in frequency were due in a great part to the public's not knowing if the station still existed. Since advertising was prohibited by management and promotions, even those approved by the sales manager for revenue, were rejected by management no ability was present to tell the public of the station's frequency change or its new 'sound'.

Arbitron numbers are copyrighted and are unable to be displayed here. They are available to anyone accessing the numerous radio Internet sites providing them through license. But we can quote published news reports:

Charleston Post & Courier writing on August 10, 2002, speaking of "The spring 2002 Arbitron ratings are in" lists "The top 10 list among listeners 25-54 looks like this:" Tied for 9. WYBB-FM 98.1 and WCOO-FM 105.5. Both owned by L.M. Communications. Yet the program director of WYBB was not fired for the same time period, as Spring 2002 was the ONLY rating period the plaintiff was given the opportunity to be judged. Mindy Sparr, Post & Courier Reporter further said, "Conversely, Citadel, LM Communications (WYBB-FM 98.1 and WCOO-FM 105.5) and Jabar Communications (WJNI-FM 106.3 and WWBZ-FM 98.9) all have shown increases in market

share over the past year." But that would be considered 'poor performance' by the EEOC and the L.M. Communications Inc. fraudulent claims.

In the Winter 2002 plaintiff had just arrived and changes did not take place at WCOO until the end of the Winter 2001 ratings period. Charleston Post & Courier writing on May 19, 2002 in 25-54 adults, "Rounding out the top 10 is WCOO-FM 105.5 (Cool 105.5) and WRFQ-FM 104.5 (Q104.5)."

On March 2, 2000 the Charleston Post & Courier reported the Fall 1999 ratings: No mention was made of WCOO.

On November 11, 1999 the Charleston Post & Courier reported the Spring 1999 ratings: No mention was made of WCOO. The release of Spring 1999 ratings as reported by the Post & Courier published August 19, 1999, showed WCOO as "Some of the big jumpers this ratings book: Cool 105.3 (WCOO-FM), which moved to a 5.7 from last year's 1.6 (at which time the station had a different format). That vaults Cool into fifth place - tied with Q 104 (WRFQ-FM) - from last year's 15th place finish."

Plaintiff arrived at WCOO in February 2002 and was illegally discharged in July 2002 after 42 different acts of intimidation and destruction of the work potential.

Specific break-outs (available from Arbitron only) for Spring 2002, with the Lee Kent In The Morning Show in morning drive and efforts underway to destroy the ratings by management at WCOO placed black females in a 30 share range for the show.

**"The evidence obtained by the Commission reveals that the offensive e-mails from your co-worker as well as anti-Semitic e-mail from non-station employees do not rise to the level of religious harassment that violates Title VII of the Civil Rights Act of 1964, as amended."**

The EEOC's own documentation claims: "Persons who file a charge, oppose unlawful employment discrimination, participate in employment discrimination proceedings, or otherwise assert their rights under the laws enforced by the Commission are protected against retaliation. " The documentation further states: "Employers must provide a workplace that is free of harassment based on national origin, ethnicity, or religion. They may be liable not only for harassment by supervisors, but also by co-workers or by non-employees under their control. Employers should clearly communicate to all employees - through a written policy or other appropriate mechanism - that harassment such as ethnic slurs or other verbal or physical conduct directed toward any racial, ethnic, or religious group is prohibited and that employees must respect the rights of their coworkers." **ISSUES:**

- **"offensive e-mails from your co-worker"**

Contrary to the claim by EEOC the point was this: management was informed both orally and in writing and responded both orally and in writing by refusing to stop the offensive harassment by a 'then' employee. That employee, Bruce Musso and his associate (both radio engineers affiliated with the same independent contractor) acted on

the behalf of Charlie Cohn, General Manager, who refused to stop the harassment.

- **"anti-Semitic e-mail from non-station employees"**

A 'non-station employee' is a contract worker. "They may be liable not only for harassment by supervisors, but also by coworkers or by non-employees under their control." The contract worker was under their control as an office was provided to him, a specific time was set for his duties, his office was not accessible under lock and key by any personnel other than the 'chief operator' and the 'general manager' and his income was never reported to the IRS as he does not file income tax forms.

And, the computer used to transmit all email threats and intimidations was the same computer using different access accounts.

"Harassment based on religion, national origin, or race is not just inappropriate; it violates federal law. It is a violation of both Title VI and VII of the Civil Rights Act of 1964 which forbids discrimination in employment and educational activities on the basis of race, color, religion, national origin, and sex." Severe, persistent, or pervasive religious, ethnic, or racial slurs and other verbal or physical conduct relating to an individual's religion, national origin, or race constitute harassment when such conduct: has the purpose or effect of creating an intimidating, hostile, or offensive working environment; has the purpose or effect of unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's ability to participate in or benefit from the services, activities, or privileges provided that work environment.

- **"level of religious harassment that violates Title VII"**

"Religious harassment may also occur where an individual makes disparaging remarks about an employee's religious beliefs. For example, in the case of a prison guard, the guard alleged he was subject to racial slurs and physical threats and alleged co-workers and supervisors criticized and ridiculed the tenets of his Muslim faith. *Hafford v. Seidner*, 183 F.3d 506 (6th Cir. 1999). While the court held that the incidents were not severe or pervasive enough to rise to the level of harassment, the court did recognize the employee's racial harassment claim and noted that the racial animus of the employee's co-workers was augmented by their bias against the employee's religion. So even where religious harassment is not actionable on its own, it may bolster a plaintiff's evidence on other discrimination claims."

- **religious harassment was not the point of the case**

The issue of religious discrimination was raised in the complaint due to a single act of threatening email received from an employee that management refused to force said employee to stop harassment. That photo is contained in the Photo Page, as well as a photo sent after discharge from the same employee claiming responsibility for the discharge.

**"It is undisputed that you complained about your co-workers, however, your complaint were not about religious discrimination."**

No kidding. They were about intimidation and threats and destruction of property and sabotage of equipment and refusal to perform job tasks and refusal to permit promotions and refusal to permit advertising and refusal to replace defective equipment and refusal to stop harassment AFTER the ownership and its legal counsel were advised by Patricia Thompson that she would invoke her rights under Title VII (see the letters written by Thomson to ownership on the Documents Page).

**"It is also undisputed that your co-workers complained about you and felt that you were harassing them and violating their Civil Rights."**

ISSUES:

- **"It is also undisputed"**

No, it is disputed in documentation received by the EEOC but not referenced in their judgement. It is a major point of the harassment brought about by Charlie Cohn, General Manager, as he used employees Linda 'Logan' Grumbein and 'Skip St. John' Morath to submit ridiculous letters complaining about their being critiqued for on-air job duties.

- [Click Here to read the aircheck that started Linda 'Logan's involvement in this case.](#)
- [Click Here to read the personnel warning issued to Linda 'Logan'.](#)
- [Click Here to read the aircheck that started Skip St. John's involvement in this case.](#)

- **"your co-workers complained about you"**

- [Click Here to read the Linda 'Logan's absurd response to the aircheck.](#) Charlie Cohn refused to admonish her for this letter and tore up the aircheck letter in a meeting with Logan and plaintiff. There being 'legal issues' with Linda 'Logan' was constantly used as the main excuse not to hire a Black Female full time at the black music station to replace Linda 'Logan'.

- [Click Here to read the Skip St. John's absurd response to the aircheck.](#) St. John was eventually fired after the company had been paying him for remote broadcasts, under the table, making payments to his girlfriend, who did not work for the company, in order to skirt Skip St. John's disability claim and after Lynn Martin finally agreed to permit the hiring of a full time experienced professional to replace Skip St. John in afternoon drive. St. John, claiming to be under doctor's order to work 3 hours per day or less had written station consultant Don Hallett asking for a full time job in morning drive, before plaintiff was hired.

- **"felt that you were harassing them"**

No they didn't. They knew they were part of the harassment of plaintiff and now use the reverse claim as portrayed by Billy C. Sanders of the EEOC in his email of August 20, 2003.

- Consultant Don Hallett, in email after plaintiff's discharge: "Yes, I knew LM had made this decision. I am sorry, but I was not at liberty to give you a heads up. What difference would it have made? Either way, I'm sorry this has happened.... I'm here if you would like to talk. Let me know what you'd like to do next and I will assist in anyway that I can." Not quite the response from a respected radio consultant and wonderful programmer to have made if the circumstances were as claimed by EEOC.
- Receptionist Denise Moseley (the only other black employee at the station and the person EEOC claims below "promote another Black Female you did not have time to train" (who was literally screamed at by Charlie Cohn for daring to take training during working hours) said in email on July 23, 2002 "I want to be able to keep in touch with you so for now I will use email and I will email you with any messages etc from here, same for John. I love you and John dearly if you need anything let me know. Denise P.S. Joel sends his love." Joel Barnes was a salesman at the time at the station. 'John' refers to John Majhor who stormed out of the building and 'quit' the moment he heard plaintiff was fired. He later returned to take the Program Director's position.
- On July 24, 2002, part-time WCOO air talent Dwight Lane wrote email: "Lee, I'm saddened about what happened and i know it was'nt deserving, but if I can help please give me a call!"
- After plaintiff had become involved in supporting the 437th air-wing at Charleston Air Force Base and produced a song for them, heard by thousands of people worldwide, including the Pentagon, Pat Mize of the Base wrote on 24, Jul 2002: "I can't tell you how sorry I am to hear that some idiot let you go. Do you have any prospects? I know you must have a lot of contacts in the industry and you have a tremendous voice, brains and talent so I know you'll be okay. I know you know that there is injustice in life, but try to remember 2 things: 1. Everything you do in life comes back to you (that applies to EVERYONE, if you get my drift) 2. When one door closes in life, another one opens. Take care my friend, and if there's anything I can do, please don't hesitate to let me know. Have faith, Pat"
- Among many emails, mostly held confidential until trial, John Majhor wrote this email on 15 Aug 2002: in part, "Sounds like LM is going to have some "'splainin' to do, Lucy"! Charlie, again, asked someone in the promo meet-

ing... "got any black sales guys for us yet?" .. I wasn't paying any attention to who it was."

- On 17 Aug 2002 part-time air talent Mark Scott wrote email: "Forgive me for not contacting you sooner!! I have meant to since you "left"...and feel bad for neglecting it. Ill tell you that I dont know, and dont NEED to know the particulars of why youre gone, but John DID explain to me about HOW they did it. THAT SUCKS!! I was sorry to see them do that. I wanted to thank you, Lee, for helping me get back in the business. I know that I have a lot of work ahead of me, to get back up to speed, so to speak, if Im going to come back full time, but, This gives me the chance to do that work. Lee,I know there isnt much I can do for you, but if there is, all you have to do is holler!! I feel confident that you wont have much trouble finding another job around here! Even if it IS with "corporate radio"...lol Thanks again, sir.....Id work with you any time!! Mark Scott Tucker"
- On August 19, 2002 former Station Manager of WYBB, Ken French had this to say in email: "I am going to drive to Chapel Hill this afternoon and do a site visit for an upcoming Lennon art show. I should be back Wednesday. Call me, if you'd like. It was good to see you last Monday at Bull and Finch. You're a good man. ken "
- On September 04, 2002 Patricia Thompson wrote Billy Sanders and told him: "I know what these people did to Lee ... my God Billy, what's going to happen to me next?"
- Email from a listener on 04 Sep 2002: "Hey Lee, how come you're not on WCOO anymore? I finally tracked ya down to ask you, but I just miss ya on the morning drive!" Responded with "Thank you for asking. I was fired." Replied: "Ack! I am so sorry to hear that! You were my favorite morning DJ, the best they ever had there. Well, I wish you well on your endeavours, and I hope to hear you on the radio again soon! Sincerely, David Blanchard"
- On July 28, 2002 Dan Williams, sales representative for WCOO-WYBB wrote a reference letter for the plaintiff's job seeking process: In part is said, "It is my pleasure to offer my thoughts and words concerning Lee Kent. During the period of time that I was fortunate enough to work with Lee, I found him to be an energetic, far sighted, and totally dedicated individual. Lee appeared to me to be fair in his relationships with all members of our staff, both those who worked for him and those, like myself, whose contact with him was to work toward building client relationships and public awareness of our station. I know from

personal experience that Lee worked tirelessly in his efforts to both upgrade the professionalism of our station and build community trust. I have been in our rather "unique" industry for over 30 years. Having held positions in programming, sales, and management, I am confident in saying that Lee Kent is one of the most qualified radio management persons I have ever encountered. I am pleased to offer my highest recommendation of him... Dan Williams Senior Account Manager, Director NTR"

- On July 28, 2002 John Majhor wrote a letter of reference and said the following, in part: "When the position at WCOO-FM here in Charleston came open, he wrote me and asked if I would be interested. Over the next month, we talked and I eventually accepted. That was this past April. We share very much the same programming philosophies and during his tenure at WCOO-FM, we had not one single disagreement or dispute. I found Lee to be incredibly dedicated, focused and fair, even when dealing with a number of very unprofessional acts by a variety of co-workers and superiors. I won't go into detail, because I trust none of these people will ever work for you. Lee allows a pro to be a pro. He gives guidance when necessary and expects one to be diligent with their own issues. He's loyal to a fault and is a straight-shooter. He does not suffer fools at all. (This is where we had some great fun at times, as I am adept at suffering fools gladly and we'd play good cop, bad cop when necessary). He balks at people who play politics for their own gain at the expense of others, and is not averse to giving them a dose of their own medicine, if necessary. He detests prejudice and injustice of any kind (and I have witnessed this first-hand). He loves to focus on community and you can bet his radio stations will do the same. Lee is brilliantly creative and incredibly passionate about his work. I'll tell you a secret about Lee. Although he'll hit you with his vast scientific analysis and mathematically oriented strategies, he can't help but get emotionally involved in the projects he loves."
- On July 29, 2002 Denise Moseley wrote the following reference letter: "I met Lee Kent a little less than a year ago in my role as administrative assistant and part time air talent (thanks to Lee) for Cool 105.5. During that time I have had the privilege of witnessing a true professional at work. Lee is very knowledgeable about radio and he knows and understands what it takes to succeed. Above all else he is not afraid to succeed. I have no doubt that Lee Kent would be an asset to any station that would have the for sight to



add him to their team. If you have any further questions please feel free to contact me. Denise Mosley"

- On 29 July 2003 Dwight Lane wrote the following reference letter: "As a partime air personality, I've known Lee for six months and during that time he has done an outstanding job and is especially adept and knowledgeable in radio programming. He continually demonstrated his managerial skills and genuine concern for improving L&M Communications and especially WCOO. Due to his experience, I have found him to be a loyal dedicated and unique individual, capable of handling any task. Lee is a true professional outstanding motivator, and role model. Highly skilled leader and manager, Lee's effectiveness and equitable performance promote team effort and spirit. I really have not seen someone like Lee who can skillfully blend management with technical expertise. He will be missed, and don't pass up the opportunity to snare someone of Lee' abilities and assets. Truly a professional example for others to emulate."

- **"violating their Civil Rights"**

Then file a complaint and let's take it to court. EEOC has destroyed plaintiff's case and does not have the guts to bring another action against the ownership on behalf of lies as it would open up the case they are seeking to hide.

**"The evidence obtained by the Commission also reveals that you did not have to accept a Black Female's Letter of Resignation submitted to you on February 28, 2002, wherein she specified the conditions under which she would continue her employment with the station."**

That resignation letter was following this: "I do appreciate your sincerity in asking me to stay," and was because of the reasons she filed and settled a charge with WCOO prior to plaintiff's arrival. The "conditions under which she would continue her employment with the station" included a near .00 per hour raise, after she had been informed she was being considered for a full time position. No professional manager would accept that condition. And the EEOC knows it. She told plaintiff's wife (best friends at the time) that the resignation letter was known to be unacceptable as she was 'tired of it' and wanted to get out even though she was 'begged' to stay on.

Following her resignation plaintiff worked at every possible opportunity to get her back on the staff to rejections from management every single time. Plaintiff even created her CD air-check for her in order for it to be submitted 'officially' when she was permitted by ownership to do so. She 'was' the best female talent the station had and deserved a full time job in the music she loved. Plaintiff and Thompson worked hand and hand following plaintiff's illegal discharge to critique each other's EEOC complaint letters and forms and plaintiff secured a letter of referral from Thompson.

Plaintiff and Thompson and plaintiff's wife Suesie worked together to offer promotional ideas for a new black radio station in Charleston. "Have not come up with a name for it yet but my wife and Trish are feverishly trying to find a name. It is a campaign where the sta-

tion brings the solutions to the listener's communities by partnering with local school booster clubs (whereby they promote the station and the event in flyers sent home with every child the week before it comes to their school parking lot) promotion brings the necessary solutions to the citizens for four hours on a Saturday afternoon"

**"However, you pre-selected a male as well as sought and obtained a salary of K per year for him and recommended the hiring of another male."**

Pay rates were established by the station management. Not the Program Director. Part-time staff was not paid more than .00 or .50 per hour, I was told, by Charlie Cohn. Thompson demanded .00 an hour in her resignation letter. Plaintiff found a pay slip wherein it was evident that ONLY Linda 'Logan' had been paid .00 an hour as a part-timer. **IT WAS THE FINDING OF THAT DOCUMENT THAT CONVINCED PATRICIA THOMPSON TO FILE A COMPLAINT WITH THE EEOC LONG AFTER SHE HAD LEFT THE STATION.**

There were three primary day parts on the station. Mornings was plaintiff's shift. Afternoons was filled with a person who was not qualified for a professional position in modern radio and middays was filled with a person who had been fired by the station once before for rummaging through files to find other employee's salaries. The midday person was promoting her own DJ service on the air in a blatant plug-ola violation with the station not having pay-ola, plug-ola signed statements on hand for all staff until plaintiff required the signatures.

Afternoon drive required a professional who did not need training to bring the station closer to professional. John Majhor had served as morning drive and other important day parts in major markets of both the U.S. and Canada and had become a friend of plaintiff's through email correspondence. Consultant Don Hallett congratulated plaintiff when he heard Majhor had been secured for a primary day shift.

Middays was to be replaced with a minority female to better serve the music being played and the audience desired for the format. The two positions were not in competition with each other and are completely different targeting concepts.

#### **ISSUES:**

- **"you pre-selected a male"**

Absolutely. The chance of hiring a person of John Majhor's caliber comes very rarely in a market the size of Charleston S.C. And that position had no relevance to the middays Thompson was told she was being considered for.

- **"obtained a salary of K per year for him"**

And it was not easy. In fact, on John Majhor's web site as of 3/23/2004 he describes the owner of WCOO as "...the cheapest bastard in radio, limited (if nonexistent) resources, no appreciation or even acknowledgment for the work from said owner or upper management..." The amount of money possible for middays was never completely discussed as once it appeared to Charlie Cohn that I was not giving up on having a black female full time in middays he instructed that if Linda 'Logan' was to be 'let go' the position would become 'part-time' which eliminated hiring anyone of talent. If EEOC had bothered to check the lies given to them to consummate the scam they would have found the salary was K and included a K moving allowance.

- **"recommended the hiring of another male"**

Once the position had become 'part-time' or keep 'Logan': plaintiff searched long and hard for a qualified talent to work at part-time rates in the middle of the day to no avail as every attempt to hire a Black Female was rejected. Bobby 'Collins' Stagg was already employed by the station as production director and attempts were made to place him in middays, as his 'numbers' were higher when he filled in for afternoons before Majhor arrived than 'Skip St. John' had, as were attempts made to hire numerous other part-time talents for the midday shift as that shift was by far the worst sounding five hours plaintiff had ever had to put up with in the business with the talent who could not be removed, lest plaintiff hire a black female.

**"No evidence was presented that shows you opposed a Black Female not being rehired by the station or that prior to your discharge you participated in an employment discrimination investigation of the station relative to failure to hire minorities."**

Of course no 'evidence was presented' as EEOC did not consider ANY evidence presented to it by the plaintiff. EEOC only considered evidence presented to it by WCOO as it had destroyed the packet of relevant evidence submitted with the FORM 5 charge form from the plaintiff in return for having a higher settlement for Thompson and protecting the ability of WCOO to receive a fraudulently acquired license renewal from the FCC. EEOC had also destroyed or changed the packet of information submitted to it by Patricia Thompson as evidenced by Sander's email of August 20, 2003.

**ISSUES:**

- **"that shows you opposed a Black Female not being rehired by the station"**

Refer to the many documents and emails contained within this document that show this statement to be a complete lie. Each of those documents were included in either Thompson's EEOC complaint packet or plaintiff's EEOC complaint packet. Yet no information contained in either complaint packet was considered by EEOC in making this totally illegal ruling.

Even Thompson's signed Form 5 complaint charge form specifically stated the opposite of this allegation.

- **"or that prior to your discharge you participated in an employment discrimination investigation"**

Refer to the many documents and emails contained within this document that show this statement to be a complete lie. Each of those documents were included in either Thompson's EEOC complaint packet or plaintiff's EEOC complaint packet. Yet no information contained in either complaint packet was considered by EEOC in making this totally illegal ruling.

- **"relative to failure to hire minorities."**

Refer to the many documents and emails contained within this document that show this statement to be a complete lie. Each of those documents were included in either Thompson's EEOC complaint packet or plaintiff's EEOC complaint packet. Yet no information con-

tained in either complaint packet was considered by EEOC in making this totally illegal ruling.

**"The evidence shows that you had the opportunity to hire another Black Female applicant but claims she lacked experience and needed training as well as promote another Black Female you did not have time to train."**

**ISSUES:**

- **"The evidence shows that you had the opportunity to hire another Black Female applicant"**

That evidence is a telephone message sent by plaintiff to Sanders in email showing the name and number of the person Charlie Cohn told to leave the building and refused to allow to fill out a job application while an opening was available at the station. Sanders never acted upon that 'tip' of additional proof of racial discrimination by WCOO.

- **"but claims she lacked experience and needed training"**

And the raw talent necessary to perform the job duties. People do not receive jobs just because they are a Black Female and they do not have to put up with employers prohibiting their holding a job they qualify for just because they are a Black Female.

- **"as well as promote another Black Female you did not have time to train"**

See the letter from Denise Moseley above regarding this lie.

**"Other than your verbiage, no evidence was presented that shows your intent to hire minorities especially Black Females or that you opposed the station's failure to hire minorities."**

**ISSUES:**

- **"Other than your verbiage"**

A clear admission by EEOC that nothing exists in the packet of plaintiff's submission after evidence was tampered with and destroyed other than the Form 5 submitted to EEOC with the packet. Also a clear admission that nothing contained in the original submission of Patricia Thompson remains, including her Form 5 as it detailed plaintiff's being fired for attempting to hire her full time.

- **"no evidence was presented that shows your intent to hire minorities"**

No evidence was presented by WCOO. Ample evidence was presented in the submitted packet destroyed by EEOC.

- **"especially Black Females"**

Ample evidence was presented in the submitted packet destroyed by EEOC.

- **"or that you opposed the station's failure to hire minorities"**

Ample evidence was presented in the submitted packet destroyed by EEOC.

**"Therefore, despite your claims, the decision to discharge you had nothing to do with your opposing discrimination in the workplace or your participating in an investigation of discrimination in the workplace."**

**ISSUES:**

- **"despite your claims"**

Plaintiff's claims? How about these claims (since plaintiff's claims are destroyed by EEOC) Only a very partial list:

- The Reverend Joe Darby July 28, 2002 : "Ms. Thompson, Thanks for the info. All direct action has to be approved by our State Executive Board, so I'm forwarding this to Executive Director Dwight James in Columbia. You can expect to hear from him, and can reach him at 803-754-4584. "
- Thompson 2 Aug 2002 : "I'll be able to stay at home and work through the night and Saturday to have this package ready to go to Washington, DC and after Rev Darby takes a look at it ... Trying to make all this happen by Monday, so I need to get busy with my "paid" work and get it done and out of the way so I can concentrate fully on the "gonna get paid" work"
- Thompson 10 Aug 2002 : "Especially since they lost and let go ... one of the best things that had ever happened to the station ... I wish you could have come in when Ken Carson left instead of Mike ... Then you'd still be there, I'd be there, Stevie might be there ... but we could have ENSURED that WCOO remained on top or in the top five at least, for each and every book ..."
- Thompson 15 Aug 2002 : "LK ... take a look ... The time and a half pay for holidays is N/A for me because I wanted to work those hours LIVE ... so, I volunteered to do so ... they had been scheduled as voice track hours ... I lost a paragraph somewhere ... when I was trying to move it to the proper location something to do with either Linda or Bruce ... can't remember now ... but everything else is accurate ... a few places here and there I added so more ... I'll have to print what I have ... I need to leave in a few ... by 5:30 to meet Mr. Sanders. He just called and let me know he had arrived "
- Thompson 15 Aug 2002 : "He is the contact Reverand Darby told me to call at the Charlotte EEOC Regional office ... remember ...???"
- Thompson 22 Aug 2002 : "Gee Whiz ... do you realize how many things we see the same way and how the "attitude" of others can't just be in my mind or your mind"
- Thompson 27 Aug 2002 : "flavorfully so ... it is very appropriate, accurate, and informative ... thanks for being so honest about everything ... you even knew things that I knew but didn't talk to you about and wondered if anybody knew or recognized or was it just me ... you just make me know I was right ... that means an awful lot ...

just knowing that someone else knows and isn't afraid to acknowledge the same ... is everything ... it makes it worth the wait ... thanks LK Tell my SQ  
howdeeeeeeeeeeeeeeeeeee for me ... ;o)"

- Thompson 27 Aug 2002 : "okie dokie ... also add the address US Equal Opportunity Commission ... etc., And as an intro ... I, Lee Kent, former Program Director of WCOO-FM radio station, LM Communications ... located at ... hereby submit the following statement on behalf and in support of the alleged EEO violations submitted by Patricia Thompson, a former, Black, part time radio announcer of same ... as follows: When I arrived at WCOO ... Thanks ..."
- Thompson 29 Aug 2002 : "hangin out with Honey 2 ... Lee Kent Honey ... Dewin the Do with Honey 2 ... well, NOT Dewin THE Do ... with Honey 2 ... never mind ... just hanging out with Honey 2 Anyway, as you can guess, I am still at work ... I AM Leaving in 10 mins ... ;o) Talk with you later."
- Thompson 30 Aug 2002 : "Q has two bug bites... well I'm glad to know that, now I'm not alone hahaha phone call from EEOC.... hmmm I wonder what the point of that was... give them enough time to fabricate? cause now they will... they know you're serious but at least they will be scared for a bit... HAAAAAAA It's probably to set up an appointment so they can come in an investigate ... I doubt they'd go into any verbal discussion over the phone ... that would be unethical ... and I also doubt they gave them any specifics as that too would be unethical because they are not supposed to have time to fabricate anything ... more than likely they have been notified of a complaint ... more than likely they are aware I am the complainant ... but the specifics probably won't be revealed until they are face to face ... that way when they ask for the personnel files of whomever, or anything else they ask for ... has to be produced on the spot ... they will not be able to produce anything ... realistic ... they'll also have to provide the make up of their staff ... so maybe they'll hire 2 or 3 hard working black people between now and whenever the appointment is set up for ... hahaha"
- Thompson 2 Sep 2002 : "I'll call her when I get home ... This is work that I didn't do when we were doing the EEOC thing back and forth ... that I have to do before tomorrow ... because I want my desk free and clear before everyone gets back from Kansas ... ;o) besides ... this is the only place I can go online ... And, I promise that since

I've been here, I haven't touched a piece of work, but I am getting ready to now "

- Thompson 4 Sep 2002 : "I'm fine ... just a bit nervous earlier until Billy called me and I have settle down a lot now ... He is has a great calming you down effect ... he can say that sentence that makes it all go away ... and you're right too LK ... Billy is pissed but he's a "cool pissed" and those are the worst kind of pisses to be ... those "cool pisses" ... tell SQ that ... she'll get a hoot from my new terminology ... I need to start a dictionary ;o) I just need to get some work done ... I mean this has been so time consuming "
- Thompson 4 Sep 2002 : "just received a call from Billy ... HE IS GREAT !!! WE ARE GONNA WIN THIS ONE ... I'm sooooooooooooooooooooo excited ... anyway ... He's asked that both our cases be assigned to him ... He is going to be the investigator ... He received your hard copy yesterday ... And, he's making arrangements to come to Charleston ..."
- Thompson 5 Sep 2002 : "I just heard from him about 10 mins ago or so ... well longer than that now, cause I started this and that was about 30 mins ago now ... They are slowly making progress from what I could tell ... ;o)"
- Thompson 5 Sep 2002 : "SQ ... LK is stranded...I'm on my way to rescue him ... car broke down nearby the radio station on Rivers ave ... He's fine ... just spoke with him ... Guess I was supposed to be here later than usual ... or as usual ;o) Luv Ya ... He'll be home soon. ;o)"
- Thompson 6 Sep 2002 : "I'm not gonna say what I'm thinking in my head about John ... Let SQ tell you for me, that's something we both feel the same about ... I never thought my husband would beat me, but he did ... I never thought my husband would cheat on me, but he did I never thought my husband would stop being a father to his children but he did ... I never thought he'd spit on me, but he did ... I thought I knew him, but I didn't and don't care to now ... Sometimes, we think we know people, and can trust people ... but we never do."
- Thompson 10 Sep 2002 : "Spoke with Denise this morning ... She said "they" received another letter yesterday. I told her it was yours. She said, "Are you kidding me?" I told her it's real. She said, "Thank you so much, thank the both of you so much!" Contact her so she can tell you herself ... she overheard Conehead talking to someone via phone ... and something to the nature ... he's not worried about it and just not wanting to deal with it ... and some-

thing about mine -vs- yours, one being more complicated than the other ... I apologize, I can't remember, there was a lot of background noise and then Conehead walked in to the office there and she had to go ... so it was real quick quick ... but, let her tell you! I have to go ... I've got to get busy, I plan to be away the rest of the week after today ... ; o) ... So, if you don't hear from me throughout the day, I'll contact you this evening, sometime ... Take Care ... ;o) luv & hugs ..."

- Thompson 18 Sep 2002 : "Hi, I tried to call you guys ... and I sent SQ and IM ... To answer your question ... I believe it took about 10 days or so to receive mine in the mail ... maybe a bit longer ... can't remember ... but I'll look at the paperwork when I get a chance ... I think it was about 10 days though ... Give them a call and let them know you hadn't received anything regarding your complaint ... that they'd received it or anything ... Now, ;o) ; o) ;o) you know it's gonna take someone about a month to ready it all ... right??? ;o) Just teasing ... but yours was a lot longer than mine ... and we both know it was received "unofficially" ... "
- Thompson 30 Sep 2002 : " haven't heard anything from anyone. Perhaps, you should make an inquiry to the EEOC and check the status of your complaint. That's all I can suggest. I'm kind of letting it take its course. He assured me that he has everything, will be investigating, has requested both our cases to be assigned to him, that he would come here to take care of what needs to be taken care of and I believe that he will. I'm sure we are not the only cases he has to work, but I feel strongly that when it's our turn he will give it his utmost consideration and attention. I understand that they have a right to request an extension in providing their input. With the "we don't employ more than 15 people" issue, I'm thinking that he is doing whatever he needs to do in order to handle that situation as he sees fit in accordance with his policies and procedures. He has to remain, also, in a neutral position, regardless of what he may really think or feel and I'm sure maintain a high level I thought Martin was coming in tomorrow, but maybe I'll call Denise later tonight and check on her and things ... I don't particularly care to hear from Martin at this juncture. And, if he tries to contact me, I doubt I'll talk with him or answer his phone call if he tries to call me."
- Thompson 5 Jan 2003 : "Still no word from Mr. Sanders. I'll try to reach him at his office tomorrow! Luv Ya ..."



Take Care "

And let us not forget the EEOC itself:

- Billy C. Sanders 6 Feb 2003 : "I can't help with you with the W-2 situation and it is beginning to appear that we don't have jurisdiction over L M Communication. My legal dept is looking at their info now and will advise me and I will let you all know."
- Billy C. Sanders 6 Feb 2003 : "I appreciate what you are saying but don't tell us how to investigate and every thing you see ain't always how it is. We will make the decision on our part and if you want to take this to court all you have to do is send me a letter requesting your Right to Sue because even if we have jurisdiction it is not a case we will be taking to court so if you want to go to court just request your right to sue."
- Billy C. Sanders 6 Feb 2003 : "I do not have time for debates on this matter and have told you what's what and I know our guidances."
- Billy C. Sanders 6 Feb 2003 : "I am not dropping your case nor do I plan on debating legal issues with you. When I have all the information in we will make a decision on whether we have jurisdiction and if we do have jurisdiction we will make a decision on whether or not you have been discriminated against as you allege."
- Billy C. Sanders 14 Mar 2003 : "I just got off the phone with the Radio station attorney and let him know that we have jurisdiction so I am scheduling a Fact Finding Conference for April 24/25. He has to check with him people and see if they are available for those dates."
- Billy C. Sanders 21 Apr 2003 : "Lee the Fact Finding Conference scheduled for 4/24 and 4/25 has been postponed because I have to be in Washington on Wednesday. I will reschedule it when I return next week and will give you the date, time and location. I am sorry about this because I want to move on these cases right away before I get tied up with something else so bare with me. Thanks, and if you have question let me know."
- Billy C. Sanders 21 Apr 2003 : "Yes you will need to be in attendance at the Fact Finding Conference and I will get with you before the conference. Remember I am neutral so you will be presenting your case before me at this conference. When I get back in town next week I will explain the process so get your evidence in order because you will be presenting it before me and them."
- Billy C. Sanders 13 May 2003 : "You have not missed it yet. I will be notifying you shortly about the date, time

and place so hang in there."

- Billy C. Sanders 29 May 2003 : "I sure will. I have read thru all your materials and am waiting on the company attorney to get back with me for a date. Have you thought about how you want this settled or do you plan on taking it on to court??" [What material Mr. Sanders? The materials you DID NOT USE in your determination? The materials you DESTROYED?]
- Billy C. Sanders 29 May 2003 : "I will be back in touch with you."

And these inclusions in the packet sent to EEOC:

- Plaintiff To Consultant May 02, 2002 : "Charlie tried to talk me into using Bobby for afternoon drive instead of hiring John... now Bobby's not good enough to fill in while a real midday person is found (and YES DAMMIT ... I WANT A BLACK FEMALE... Trish is the only one I know of in this town that loves the station) and I shall be punished for getting Linda the marijuana salesman out of the building... geesh man"
- Plaintiff To Consultant 9 June 2002 : "I did not say a word when Bruce was called into the station to fix the phone system in Cool, and refused to do so saying it was the phone company's problem. It took John calling Charlie to get Bruce to fix it after much yelling in the station. John has just about had enough. I've considered a restraining order to keep Bruce away from me but hell, he hasn't had the guts to talk to me directly he just intimidates my staff and continues to destroy station morale. He threatened a couple of weeks ago to go get his gun and shoot up the Cool transmitter. I don't care how much he hates 'black' music there is no place in a business for an abusive bully threatening to use guns. He's not gone already because we can't be without an engineer. I hope that flies if he really does something he is totally capable of. I did not say a word yesterday when I got a call from both Tom Bolt and Dwight Landon that the Cool mic channel was dead. They both changed mics to no avail. It took Mike calling Bruce to get him to answer his phone. He came in and fixed it but installed the very old horrible sounding Sennheiser mic for the main mic now leaving us with no interview mic and a horrible mic for the main one. The good (still working) RE20 was removed and must either be locked up or removed from the building. I went into the station this morning to see if it had been switched and change it back if it had and it had been switched but it is gone. So tomorrow morning I will be nearly unable to be understood on

that mic."

- Plaintiff to Lynn Martin April 23, 2002 : "Bruce has attempted to get John Majhor to back out of coming here by emailing his private email address before he left for Charleston. John did not get the email until today when he checked his account but the message is pasted here with headers. You will notice it addresses John as "dick jockey" the same addressment used to me in the threatening palestinian gunmen photo sent to me from a different email address. John is not too happy about the intrusion. Something has to be done to stop Bruce from any further such action and since he is mentally unstable to stop him from causing physical harm to anyone in the station or outside of it. I have avoided him when he comes into the building as he will not address me anyway. I learned of Cool's being on the backup transmitter and of its tube going bad from Mike. "
- Plaintiff to Lynn Martin April 23, 2002 : "Yesterday, between the time Bobby did production until noon and when John Majhor was to begin production at 1PM the production Cool Edit Pro computer was tampered with and files were purposely deleted that operate the sound card for that computer. It worked fine for Bobby but refused to give audio to John. Linda had been in the production room during that period causing me to hotline her for 2 and a half minutes of dead air. I had informed her of her requirement to stay in the control room an hour before that for alarm sounding dead air. She slipped in between CB and John. John had to reboot the computer to attempt to get it to work. According to Mike, who investigated the incident the files removed were done by searching for the program name with \*.\* after the name and individual files were purposely deleted from the system. Linda had received a memo from Bobby yesterday informing her that it was the second time in less than a week that production was not performed by her on schedule thereby missing paid commercials."
- Plaintiff to Lynn Martin April 23, 2002 : "Linda has made claims that I am not long for the station and she is upset that Bobby wrote her the memo so she is going to take it to Charlie when he gets back and complain. Ray was told this first, then since no reaction was forthcoming Linda gave the memo to Denise and the following notes will detail what happened then."
- Plaintiff to Lynn Martin April 23, 2002 : "linda showed Denise the memo she received, said Lee not going to be

here long said that lee made him write it... alliance with bobby and lee against her.. told ray with no reaction then went to denise... said charlie is on her side.. taking memo to charlie... scared since she is the only black employee to talk to anyone but lynn.. she says she is expendible... feels it is not a safe place to work... so can't talk about it... will only discuss internal problems with lynn fear of job... linda has been saying she does not understand why bobby is aligned with lee because when bobby first got on the air all lee would say is how bad bobby was on the air... (not true, I trained him)..."

- Plaintiff to Consultant April 26, 2002 : "A final decision has been made on Linda Logan. After numerous internal problems that have been verified Linda will be terminated soon. In the mean time I will be placing Bobby Collins, the production director into the midday slot as it is no cost to the station. He is on salary already. Bobby filled in for Skip in the past 1.5 trend periods. I will be working with him on inflection, delivery and show prep functions until a decision is made regarding the midday talent. I have lost the midday salaried position in doing this so I'm at a bit of a quandry to find a suitable person. My preference would be a black female (we are far too lilly white for this format!). I had one such applicant but she has no experience and this is not a training ground position, not now, not up against Cain Cameron live at CC's Oldies 102.5. It looks like I'll be attempting to find a part time midday personality. I cannot voice track this shift and get anywhere with it against a live literal killer like Cameron."

Thompson resigned and filed her letter to Martin on March 9 followed by a phone call from Martin about her complaint, another complaint letter and a phone call from Martin's Attorney conducting an internal investigation into Thompson's claims of discrimination: followed by:

- Bruce Musso 13 Mar 2002 : "You Suck"
- Bruce Musso 15 Mar 2002 : "you still suck"
- "Donald Strawn" using xradio.net Email Received 15 Mar 2002 22:17:45 : "Mr. Morning Dick Jockey This man would love to kiss yo cheeks!" View the image on the Photos Page. 20 minutes later...from the SAME computer software
- Bruce Musso 15 Mar 2002 22:37:55 : "comcast said, if you can't stand the heat get off the web your's truly Bruce Mussolina"
- Charlie Cohn 16 Mar 2002 : "I think just ignoring him right now is the best policy for all concerned. He is capa-

ble, as an engineer of doing some strange things that may make him libel for certain action but could be incredibly inconvenient for us. Imagin him doing something to the Cool transmitter, taking days to fix it etc. So we could sue him but he has nothing. Put him in jail, but you would have to prove he did it. I say just leave it alone for now and ignore anything he may send. I think if you don't respond at all he will eventually tire of it like all children."

- Letter to Consultant 02 May 2002 : "have advised arbitron of our being 50% to 35% of power for the past three weeks..."
  - Letter from Consultant 06 May 2002 : "As you know it both COOL 105.5 and 98ROCK are headed in a GOOD and measurable direction. The data I just reviewed looks promising. I'm proud of my association with the stations and congratulate you all on ALL that has come and will come with continued dedication to our goals."
  - From garylemel2000.com (power is low) 16 May 2002 : "your station sounds muddy and mumbling,,,,,too bad so sad"
  - Consultant 28 Mar 2002 : "[John Majhor is a go.] Nice job... I know he will bring LOTS to the project. Congratulations Lee"
  - Consultant 2 Mar 2002 : "I "feel your pain." "
- **"the decision to discharge you had nothing to do with your opposing discrimination in the workplace"**

The evidence contained in the packet submitted to EEOC shows completely differently. What is amazing to a thinking person is if the reason for discharge was 'poor job performance' as indicated in this EEOC letter, and 'poor station performance' as uttered during the actual discharge, yet the station performed equally to its sister station, even with lower power, 'muddy' equalization, even after the Consultant reset the equipment and the Chief engineer replaced the password (the audio processing was hacked to return the station to dull and 'muddy' sound quality), the station was tied in 9th place with its sister station in the coveted adult 25-54 demographic, and breakouts of specific dayparts showed it in excess of its main competition, how is that 'poor performance' of anything? It is not. For poor performance one need only check the Arbitron ratings for the period AFTER the illegal discharge.

WCOO fell to the bottom of the ratings pile, as did sister station WYBB. Over a continuous period of ratings WCOO and WYBB dropped to ratings befitting an AM station, and in fact, lower. Yet neither Program Director was discharged for 'poor performance' of their job or their station.

The decision to discharge the plaintiff had to do with the plaintiff's

refusal to quit under severe duress.

In one of the emails from engineer Bruce Musso, he asked: "Why are you still here?"

Every act attempted to make the job impossible to work in did not result in the plaintiff resigning. Resignation did not happen so discharge was necessary to stop the ONLY person in the station who:

- Understood a black format needs black talent
  - Desired to hire a black talent for a black music station
  - Proposed promotional events and elements, designed to serve that community
  - Consistently attempted to receive permission to hire a black female talent
  - Planned to involve the station in 'Charleston's Promise', the local chapter of Colin Powell's America's Promise program for underprivileged children
  - Proposed a 'Cool Kids' promotion to honor achievements of children who better themselves, awarding prizes and an honor position as a 'Cool Kid'.
  - Proposed a 'Charleston Rising' promotion to benefit small inner-city businesses unable to afford advertising in a depressed economic environment.
  - Proposed a 'novel' concept for a black radio station in Charleston South Carolina, even BEFORE being hired: "An airstaff leaning black".
- **"or your participating in an investigation of discrimination in the workplace"**

It took nearly two years for this case to be forced into a ruling through constant press releases and Freedom of Information Act requests when it is large and detailed and documented showing corruption within the EEOC, within the FCC (through contacts from EEOC and SCNAACP) (the FCC complaints had to be eliminated in order for the EEOC scam to work, but have been refiled with FCC).

The case of Patricia Thompson, who quit her job for prior discrimination was settled following the cancelation of the fact-finding meeting for this case.

No fact finding meeting was ever held for this case. Instead, the criminal, back in charge of the case, met with the station management and concocted the story being presented in this illegal letter. NOT ONE CHARGE OR ALLEGATION IS TRUE and ALL ARE BACKED UP WITH WRITTEN RELEVANT EVIDENCE TO THE CONTRARY.

WCOO and EEOC have concocted a scheme for the express intent of covering up the existence of discriminatory practices in the radio station in violation of Title VII.

Following the first letter to Lynn Martin from Patricia Thompson :

Martin called plaintiff at home to inquire of the details of her discrimination complaint. That is an investigation into discrimination in the workplace.

Following the second letter to Lynn Martin from Patricia Thompson : Martin's attorney Bill Allen called plaintiff at home to inquire of the details of her discrimination complaint. That is an investigation into discrimination in the workplace.

The second letter expressly invoked Title VII protections.

Direct threats and intimidation greatly increased AFTER those phone calls in a direct attempt to intimidate plaintiff for his agreement with Thompson that discrimination had taken place within the radio station.

The following documents were submitted to the EEOC as part of the original Form 5 packet for plaintiff:

- [Click here to view a fax cover sheet sent to Bill Allen as a follow up to the phone conversation wherein that attorney was expressly, in writing, requested to PUT A STOP to illegal retaliation processes.](#)
- [Click here to view a scan of email correspondence to management demanding someone get the psychopath 'off my back'.](#)
- [Click here to view a scan of a confidential email sent to John Major on March 19, 2002 wherein the Patricia Thompson issue is the main focus.](#)
- [Click to read a fax cover sheet confirming a second phone conversation with Lynn Martin regarding Patricia Thompson's complaints wherein the first letter was faxed to him, days after it was received and during the 'investigation of discriminatory practices'.](#)
- [Click to read May 7, 2002 ratings evaluation for the Winter ratings period. This document was submitted to the consultant and station management. Station management ignored it. It refers to the black audience and what is needed to appeal to them more.](#)
- [Click here to read emails from 6 May 2002 between John Majhor and plaintiff, wherein both discuss the Ken French's attempt to stop Charlie Cohn's refusal to permit an Internet site for the station.](#)
- [Click here to read the notice to the Consultant of Patricia Thompson's dropping off the CD of her demo. Plaintiff not only had the original copy of the demo, plaintiff made the demo for Thompson.](#)
- [Click here to read an April 26, 2002 memo to the Consultant about black air talent.](#)
- [Click to read the fax to Arbitron regarding low power of the station on 2 May 2002.](#)
- [Click to view the original terrorist inspired email.](#)

**"With respect to your being subjected to discriminatroy terms and conditions of employ-**

ment, no evidence was presented that shows your terms and conditions of employment were any different than your co-workers."

**ISSUES:**

- **"no evidence was presented"**

That is, no evidence was presented by WCOO. Of course they did not present such evidence. There was ample evidence in the packet submitted to the EEOC and there was ample evidence submitted in the packet to EEOC from Patricia Thompson who took some 40 enclosures of plaintiff's case to help make her case. The original 'bound' submitted packet of Thompson is available on the Documents page.

- **"that shows your terms and conditions of employment"**

Ample evidence was contained in the packet submitted to the EEOC of the terms and conditions of plaintiff's employment, including that which was required to take the job and that which had become standard attack mode during the job and that which occurred after the job. EEOC has destroyed those documents. A manifest of scores of numbered documents, emails and letters was included in the packet submitted to EEOC by plaintiff.

- **"were any different than your co-workers"**

A blatant lie. No other employee was subjected to the derogatory, inflammatory and disgusting treatment plaintiff endured in that station.

- [Click to view the letter from engineer Musso singling out plaintiff and his staff.](#)

"In view of these facts, it is **unlikely that further investigation of your charge will result in a finding that a violation of law(s) under which you filed your charge has occurred.**"

"For that reason, we have dismissed your charge and closed your file."

**ISSUES:**

- **"In view of these facts"**

Absolutely NOTHING listed in this fraudulent letter from EEOC is a fact. Everything is reversed from the facts as shown in documented relevant evidence the EEOC has managed to ignore or destroy to consummate the scam of reverse discrimination and the arrogance of thinking they could get away with it. Not this time.

- **"it is unlikely that further investigation of your charge"**

It is unlikely there is anything left to investigate since EEOC had to destroy the contents of the original packet submitted by plaintiff to disregard them completely. But not so. EEOC is counting on the silence of the press to keep those documents hidden and the refusal of law enforcement to do their jobs to keep facts from becoming public. The following letter is the support document provided to the EEOC in the Original Thompson Form 5 submission. It was accompanied by scores of documents, printouts and emails provided to Thompson from plaintiff's case records which were also submitted. Not one thing in this submission was considered by EEOC in making this ruling, even though it referred to this case and even though it was submitted to them again as part of the EEOC submission for plaintiff's



case.

How could it? The 'deal' with LM Communications Inc was to get RID of this case in order for them to settle with the African American victim of discrimination, which they did in May of 2003. The 'deal' was to get rid of this case or LM Communications would not settle the minority's case. The list of federal felony violations is 21 counts long.

- [Click to read the submitted support document for Thompson's case.](#)
- **"will result in a finding that a violation of law(s) under which you filed your charge has occurred"**

Of course it would not. Part of the 'deal' with LM Communications was to get rid of this case in order to settle Thompson's case. Placing illegal preferential treatment of a Black Female over that of a white male and committing federal felonies in the process was the plan ever since Billy C. Sanders "requested both cases be assigned to him".

- [Click to read Patricia Thompson's Signed Form 5 submission to EEOC.](#)
- [Click to read Patricia Thompson's bound original submission to EEOC.](#)
- **"we have dismissed your charge and closed your file"**
  - [Click to read the notes taken on the morning of discharge within a sales meeting and in the discharge meeting. Charlie Cohn announced WCOO was finally getting advertising. It was a rub it into your face act.](#)

Within literally days after the discharge, WCOO received new equipment, equipment was repaired, Internet access was installed in the control room, weather radar was installed in the control room and an aircheck machine was installed in the control room. All of these were ordered long prior to the discharge and held until after discharge, indicating beyond any reasonable doubt that all repairs and advertising and upgrades were prohibited during the employment to damage the employment's terms and conditions.

The person who dismissed the charge and closed the file is the same person accused of a list of federal felony violations in documents filed with the Justice Department, the FBI and State Attorney Generals.

The EEOC received and signed for a document that should have started an internal investigation into illegal activities in the Commission, but instead they placed the criminal back in charge of the case and in the most blatant of conflict of interest situations possible, allowed him to finalize the case and dismiss it with prejudice to cover up his own crimes.

That same person wrote this email on August 20 2003:

**Does not work that way.** In fact, the documents in her file don't mention you in a positive way because

she feels you were part of her problem and did not go to bat for her for a full time job so you will need a statement from her to support some of your case. RE: Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info. But we will cross them bridges when we get to them. I am waiting to hear from their attorney re the Fact Finding Conference. I will be leaving the office shortly and will not be back until next Wednesday so if you need me you can call me on my cell @ (704) 564-9464. C U Later

No fact finding ever took place. No phone call ever took place as the EEOC indicated in their letter of February 9, 2004. Sanders simply visited LM Communications Inc. at their WCOO office in Charleston during the week of February 9, 2004 and together with Charlie Cohn came up with the story that has been presented in this letter of dismissal of the case.

EEOC stated: "the documents in her file don't mention you in a positive way because she feels you were part of her problem and did not go to bat for her for a full time job".

Fact: The documents that were submitted as her file do include such statements, including the original FORM 5 signed by her, written by the EEOC or NAACP for her claims, extensive letters written by her to the station owner showing character references, and within her filing were scores of documents from this case, referenced and included. The documents in her file now are the result of the EEOC's tampering with evidence to allow the scheme to play out in sealed settlement.

FORM5 (contained in Thompson's original EEOC submission packet): Thompson's original submission EEOC FORM5 signed by her and dated August 21, 2002, states: "In fact a white manager tried to get them to hire me to a full time job and they refused and forced him out."

LETTER (contained in Thompson's original EEOC submission packet): A letter dated February 28, 2002, addressed to Lee Kent, signed by Thompson, in which she resigned due to prior discrimination states: "I am writing this letter , first of all, to thank you for your professionalism, insight and words of wisdom, you have shared with me, as well as your vision for COOL 105.5. I am certainly excited about watching your vision reach fruition. ... our conversation on this Wednesday has piqued my interest, I must confess. And, I do appreciate your sincerity in asking me to stay. Furthermore I must reiterate, that my decision to leave was made, and based solely on numerous events, prior to your arrival at COOL 105.5. ... Lee, I have enjoyed the opportunity to work with you for this short time in the field in which I choose to major in college... Thanks for your mentoring! ... And Lee, if this should not work out at this particular time, PLEASE, keep me in YOUR mind for any future endeavors or opportunities that you know I would be well suited for."

DEMO: Thompson, after her resignation, did not have a demonstration compilation tape of her on-air work. She provided numerous cassettes of past shows to Hempfling. Hempfling, on his own time, at home, edited those tapes into a CD demo and provided Thompson with the copies she had to 'officially' submit to the station to be considered for re-hire.

LETTER (contained in Thompson's original EEOC submission packet): Dated March 9, 2002, signed by Thompson, addressed to Lynn Martin of L.M. Communications Inc., stated: "I'd like to assure you that my reasons to leave have absolutely nothing to do with the arrival of Mr. Lee Kent as the new Program Director (PD) for COOL 105.5. In fact, hiring Mr. Kent is probably the BEST decision that your organization has made in regard to personnel matters, in quite some time. I am certain, that through his professional leadership, Mr. Kent will accomplish great things for both COOL 105.5 and L M Communications. It is already evident that Mr. Kent is truly a radio professional and I am confident he will clean up what has become a very unprofessional and unorthodox work environment in the COOL 105.5 Programming Department. It's about time someone put a stop to the nonsense. To my dismay, Mr. Kent has arrived too late for me to continue to endure , while he makes the necessary adjustments. However, I am grateful to have worked with him the short time I have and appreciate his mentoring., However, what occurred prior to Mr. Kent's arrival is why I have resigned."

That letter also contained: "I am in the process of seeking counsel and advisement as to possible EEO violations... I was the only African American female and Disabled Veteran in the department..."

EMAIL: In an email dated September 04, 2002, sent to Billy C. Sanders of EEOC, Thompson, after receiving a phone call from Lynn Martin states: "God what have I done. How did he get my phone number ... am I going to start being harassed ... am I safe at work now, or at home ... I began to feel that this might be some kind of intimidation tactic to try to ... I don't know what ... I just know it has me on edge right now ... and I'm concerned about his true intentions or is this just another ploy ... If he contacted me and was not supposed to ... what can I do about it to ensure that he doesn't continue to contact me in this manner? Or, contact my current work place ... They all know where I work Billy, now I'm looking all around me, wondering if I'm being followed, all kind of stuff man. Please give me some guidance ... As soon as possible ... I need to be able to think and right now ... I can't think about anything else ... I know what these people did to Lee ... my God Billy, what's going to happen to me next? So, if I all of a sudden end up injured or dead ... this is becoming scary ... do please don't think I'm being playfully jokey right now, because I'm not ... Please do not let this go ... Please do not let this go, if something does happen to me."

REFERENCE: After being fired for attempting to hire an African American female, Disabled Veteran full time, Hempfling sought employment elsewhere in the market and wanted to hire Thompson for a full time on-air position at that station. Thompson provided a job reference for that interview process. She stated, in part: "I'd like to share a piece of my heart and mind with you in regard to Mr. Kent and pray that you give what I share with you your utmost considera-

tion while you go through your decision making process in effort to bringing MEGA 100 to its full on-air capacity. First, and by far, Mr. Kent is a true and consummate professional. I hope you can appreciate when I state that, it's truly a breath of fresh air to be associated, in any endeavor, with such a professional of Mr. Kent's caliber. And, just as refreshing as it is, I'm sure you are aware that it's also very rare. Mr. Kent's vision, coupled with his vast experience, knowledge and long time radio perspective is only surpassed by his work ethic, business knowledge, and managerial expertise. Ms. Aidoo, I know I'm baking a six layer cake here, but the thoughts I possess of this man and that I graciously share with you, do not come from me lightly, I assure you. However, when I think of all the wonderful things I could fill your eyes and ears up with in regard to Mr. Kent, if I had to just narrow it down to one thing about Mr. Kent that strikes me the most, I would have to say it's his passion for people. And along with that comes integrity, honesty, trustworthiness, and relentlessness." That reference was written long after the LM Communications employment issue, making any claims of reversed bias by Thompson, written by Sanders, a lie.

ORIGINAL SUBMITTED THOMPSON EEOC PACKET page 19: "I have become aware that the new P.D. Lee Kent had been planning prior to my departure to promote me to the midday position to replace Linda Logan Grumbein but such attempts had been refused by Charlie Cohn with Cohn saying he had 'issues' with me"

ORIGINAL SUBMITTED THOMPSON EEOC PACKET page 21: "I have learned that in a discussion between station Consultant Don Hallett and PD Lee Kent, that Mr. Kent was instructed to receive my application and let Linda go. Afterwards, to then actively publish a job opening and to consider hiring me when it was complete. That process I have learned was rejected by Charlie Cohn."

40 enclosures were within the EEOC Packet of Thompson, provided by Hempfling that detailed the attempts to hire her, the issues within both cases and the fact that Martin and his attorney both questioned Hempfling following Thompson's invoking Title VII of the EEO Act of 1964 as amended wherein Hempfling stood up for her rights causing further retaliation.

EEOC stated: "you will need a statement from her to support some of your case"

Fact: The documents filed by her contained numerous statements from her supporting this case. These include character references, comments and praise as well as detailed letters to the employer regarding the standing of this case. Additional references to the case are contained in other documents from her on file.

EMAIL: See the email dated September 04, 2002 above.

EMAIL: Extensive email correspondence is on file between Thompson and Suesie Hempfling and Lee Kent Hempfling. Suesie Hempfling and Thompson were 'close' friends up until the period where Sanders of EEOC took over the case. Those emails, as well as birthday, sickness and well-wishing greeting cards from Thompson are available to law enforcement only.

EEOC stated: "Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info"

Fact: This implied threat by EEOC spells out the manner in which a defense was to be concocted by simply reversing the harassment claim. This has come to fruition in an email received March 10, 2004 by someone posing as a former employee of the employer. That person was to be replaced with the minority and was used throughout the ordeal by ownership to add intimidation and threaten legal action for doing the job of a Program Director: (critiquing her on air performance). The emailed letter received said; "The government won't do anything about it because you are crazy and you deserved to be fired, not for trying to hire a black employee, but because you were a lazy troublemaker who refused to help Mike Allen when the Commercial computer was down." Documents from numerous other employees show otherwise. Those documents, from both full and part time personnel at the station are available to law enforcement only.

EEOC stated: "But we will cross them bridges when we get to them."

Fact: 'them' bridges were already built awaiting the pressuring of this case in a conspiracy between the EEOC and the employer and the SC NAACP to use this case to settle the minority's case preferentially and provide a reason for the employer to settle a small claim in lieu of having to deal with a far larger claim.

EEOC stated: "I am waiting to hear from their attorney re the Fact Finding Conference."

Fact: This statement was made on August 20, 2004 (as were the above statements) after Senator Lindsey Graham's office's inquiry into this case to the EEOC. In reality, a fact finding conference was scheduled by EEOC for April 24 or 25, 2003, but canceled at the last minute by the EEOC only for this case. The minority's case was settled the following month. No fact finding conference has ever been held for this case, no ruling has ever been made, no right to sue letter has ever been received. EEOC wrote a letter to me after I sent a copy of the proven 21 counts of federal and state laws violated in this issue by EEOC and others stating that Billy C. Sanders would contact me regarding this case. That has never happened. It is a stalling tactic to wait me out and ignore my constitutional rights to equal protection.

EEOC stated: "C U Later"

Fact: Clearly intended to be the 'kiss off'.

**THE EEOC HAS CONSPIRED TO DESTROY THE CIVIL RIGHTS OF A WHITE MALE IN ORDER TO SECURE THE PREFERRED TREATMENT OF A SETTLEMENT FOR A MINORITY IN THE WORST CASE OF FEDERALLY SPONSORED REVERSE DISCRIMINATION EVER PROVEN.**

**SECURITY VIOLATION AT SECURE SERVER EEOC Username and Password has been BANNED.**

The 'secure server' is the location provided to law enforcement, EEOC and FCC to review all evidence in this case. Access was attempted Wed Jan 28 19:53:41 2004 from 12.76.210.194 USING PRIVATE ACCESS CREDENTIALS PROVIDED ONLY TO EEOC CHAIR CARI DOMINGUEZ. This IP resolves to 194 charlotte 02rh16rt 03rh15rt.nc.dial-access.att.net. Unsuccessful access from a private dial-up account from Charlotte NC (geographically originated from Fayetteville NC) at 7:53PM is NOT a valid access point or time for official business. Software used to access was: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; AT&T CSM6.0). EEOC government access account unsuccessful attempt at Thu Jan 29 09:50:08 2004 using software: Mozilla/4.0 (compatible; MSIE 5.5; Windows 98) resolved to IP 64.35.225.1, reported as U. S. Equal Employment Opportunity Commission, Washington D.C. Geographically resolved to the District of Columbia. At 10:44 AM EST another log in was made by 64.35.225.1 but not to the 'secure site'. It was made to the main server site.

