



**FEDERAL COMMUNICATIONS COMMISSION**  
Enforcement Bureau, Investigations and Hearings Division  
445 12<sup>th</sup> Street, S.W., Room 4-C330  
Washington, D.C. 20554

December 29, 2004.

In Reply Refer to:  
EB-04-IH-0474

This letter responds to your complaint in which you allege that unlawful programming was broadcast over Station WTTG-TV, Washington, D.C., on August 22, 2004, at approximately 4:00 p.m. On October 20, 2004, we sent Fox Television Stations, Inc., the licensee of the station, a letter of inquiry regarding your complaint, to which the licensee responded on November 19, 2004. After reviewing these materials, we have concluded that we do not have a legal basis to take action. Accordingly, for the following reasons, we deny your complaint.

The Federal Communications Commission is authorized to license radio and television broadcast stations and is responsible for enforcing the Commission's rules and applicable statutory provisions restricting obscene or indecent broadcasts. Specifically, title 18 of the United States Code, section 1464, prohibits the utterance of "any obscene, indecent or profane language by means of radio communications." 18 U.S.C. §1464. Consistent with a subsequent statute and court case, section 73.3999 of the Commission's rules provides that no radio or television station shall broadcast indecent material during the period 6 a.m. through 10 p.m. See 47 C.F.R. § 73.3999.

We note that the Commission's role in overseeing program content is limited, however, by the First Amendment to the United States Constitution and section 326 of the Communications Act of 1934, as amended, which prohibit the Commission from censoring program material and from interfering with broadcasters' freedom of expression. See 47 U.S.C. § 326. Therefore, consistent with relevant court decisions, the Commission must exercise great care when evaluating programming for possible indecent material.

Because the standard for proving that programming is indecent is less rigorous than that for proving obscenity, when considering broadcast complaints, the Commission generally focuses its analysis on indecency. The Commission defines indecent speech as language or material that, in context, depicts or describes, in terms patently offensive as

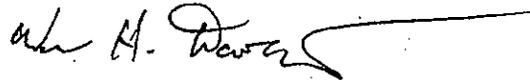
measured by contemporary community standards for the broadcast medium, sexual or excretory activities or organs. In determining whether the complained-of material is patently offensive, three factors are particularly relevant: (1) the explicitness or graphic nature of the description or images; (2) whether the material dwells on or repeats at length descriptions of sexual or excretory organs or activities; and (3) whether the material appears to pander or is used to titillate or shock. The Commission applies these three factors as part of a balancing test to determine if the material is indecent. *See In the Matter of Industry Guidance On the Commission's Case Law Interpreting 18 U.S.C. § 1464 and Enforcement Policies Regarding Broadcast Indecency*, 16 FCC Rcd 7999 (2001).

We recognize that the material that you have cited may well be offensive to you, and we have analyzed your complaint carefully. However, based upon the information contained in your complaint and the licensee's response to our letter, we have concluded that further action here is not warranted. Specifically, the material cited in your complaint, in context, is not sufficiently graphic and/or sustained to meet the Commission's standard for indecency.

We appreciate and recognize your concern. To assist you further, we include an information sheet that discusses the law with respect to indecent and obscene broadcasts and our enforcement procedures.

Thank you for your interest.

Sincerely,



William H. Davenport  
Chief  
Investigations and Hearings Division  
Enforcement Bureau

Enclosure

cc: John C. Quale  
Counsel for WTTG(TV)  
(Complainant information redacted)

**FILE COPY**

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November 19, 2004

**Via Hand Delivery and Electronic Mail**

Federal Communications Commission  
Enforcement Bureau  
Investigations and Hearings Division  
445 12th Street, S.W.  
Washington, D.C. 20554

**RECEIVED - FCC**

**NOV 19 2004**

Federal Communication Commission  
Bureau/Office

**ATTN: David Brown, Esq. (Room 4C-330)**

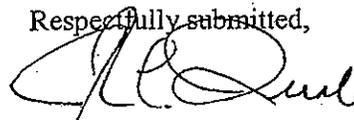
RE: Station WTTG(TV), Washington, D.C.  
File No. EB-04-IH-0474

Dear Mr. Brown:

On behalf of Fox Television Stations, Inc., licensee of WTTG(TV), Washington, D.C. ("WTTG(TV)"), enclosed herewith please find WTTG(TV)'s response to the letter to the licensee, dated October 20, 2004, from William H. Davenport, Chief, Investigations and Hearings Division, Enforcement Bureau, with respect to the above-referenced matter.

Should you have any questions concerning this submission, please contact the undersigned.

Respectfully submitted,



John C. Quale  
Counsel to WTTG(TV)

Enclosures

RESPONSE OF WTTG(TV), WASHINGTON, D.C.  
TO FCC LETTER OF INQUIRY

1. With regard to the material described in the Complaint, state whether the Licensee broadcast the film "The Slums of Beverly Hills" over Station WTTG(TV) on the respective date and time for the segment indicated in the Complaint and/or on that or any other date between 6:00 a.m. and 10:00 p.m.

ANSWER: Subject to its response to Inquiry 2 below, WTTG(TV), Washington, D.C. ("WTTG(TV)") broadcast the film "Slums of Beverly Hills" on Sunday, August 22, 2004 from 3:30 p.m. to 5:30 p.m.

2. With regard to each broadcast referred to in the response to Inquiry 1 above, if the programming described in the Complaint does not accurately reflect the material broadcast over Station WTTG(TV), describe any inaccuracies.

ANSWER: The description of the programming contained in the Complaint attached to the LOI does not accurately reflect the material aired by WTTG(TV). Provided below is a corrected copy of the Complaint. Inaccuracies are bracketed and noted in italicized text.

Sunday at 4:30<sup>1</sup> in the afternoon I turned on my television and was appalled at what I viewed on Fox 5!! The Slums of Beverly Hills was being broadcast, August 22, 2004.

The scene was two young women and a bed. [*One woman was leaning on the bed and the other was standing while unpacking a suitcase.*] One young woman threw a vibrator across a bed at the other young woman and said, "Here, you can use anything I have!" [*The woman actually said "You can use it. What's mine is yours."*] The other young woman caught the vibrator and turned it on. Then one of their father's knocked on the door. [*The father did not knock prior to entering the room.*] The one young woman answered it with the vibrator vibrating in her hand. [*Again, the father simply entered the room unannounced.*] The other young woman said, "Twist the head! Twist the head!" [*She said, "Turn it, turn it, the head, turn the head."*] Later as I returned to the broadcast to relate to you what was broadcast, the scene was a bathroom scene. The one young

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\* See Letter, Dated October 20, 2004, to Ms. Molly Pauker, Vice-President, Fox Television Stations, Inc., from William H. Davenport, Chief, Investigations and Hearings Division, Enforcement Bureau (the "LOI").

<sup>1</sup> The vignette in question aired at approximately 4:15 p.m.

woman found her friend's vibrator in the bathroom and decided to use it. [There is no dialogue or other indication that the woman "decided" to use the vibrator, and there is no depiction of the woman "using" the vibrator.] You see her facial expression as she inserts the vibrator. [The scene does not depict the woman inserting or using the vibrator in any way. It shows only her face.]

Furthermore, contrary to the LOI, the broadcast was not actionably indecent. The evaluation of indecency involves two determinations:

First, . . . the material must describe or depict sexual or excretory organs or activities. . . . Second, the broadcast must be *patently offensive* as measured by contemporary community standards for the broadcast medium.<sup>2</sup>

In determining whether material is patently offensive, the FCC has set forth three principal factors for evaluation: (1) the explicitness or graphic nature of the description or depiction of sexual or excretory organs or activities; (2) whether the material dwells on or repeats at length the descriptions or depictions; and (3) whether the material appears to pander or is used to titillate, or whether the material appears to have been presented for its shock value.<sup>3</sup>

The August 22 broadcast of *Slums of Beverly Hills* does not fall within the subject matter scope of the Commission's indecency definition because it does not depict or describe sexual or excretory organs or activities. As indicated above, the vignettes consist of nothing more than two women handling a device (identified in the dialogue as a vibrator) that is making a buzzing sound. The scenes contain no depiction or description of sexual organs or activities. Accordingly, the threshold requirement for a finding of indecency cannot be satisfied and there is no basis for Commission action.

Assuming that the Commission were to conclude, and it should not, that the episode did contain a description or depiction of sexual or excretory activity, none of the three factors weighs in favor of a finding of patent offensiveness. As to the first factor (explicitness or graphic nature), the scenes contain nothing more than two women handling the device, which cannot be considered explicit or graphic in nature. As to the second factor (whether the material dwells on or repeats at length depictions or descriptions), the activities with the device are fleeting in the two vignettes which account for only 4 minutes of the two-hour program. Finally,

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<sup>2</sup> In Re Industry Guidance on the Commission's Case Law Interpreting 18 U.S.C. § 1464 and Enforcement Policies Regarding Broadcast Indecency, 16 FCC Rcd 7999, 8002 (2001) ("Indecency Policy Statement") (emphasis in original) (citation omitted).

<sup>3</sup> See Indecency Policy Statement, at 8003.

the episode does not pander and the material is not used to titillate or presented for "shock value." All of the scenes are an integral part of the storyline and the participants' character development.

The story is told from the point of view of Vivian Abramowitz, who lives a nomadic existence in the outskirts of Beverly Hills with her single, divorced father (Murray) and her two young brothers. As Murray tries to keep the family in the Beverly Hills school district, the family moves into a one-bedroom apartment in a shabby complex. When Rita, the daughter of Murray's brother, moves into the apartment, she fills the role of female confidant to Vivian as they transition into adulthood. The referenced scenes help add levity to an otherwise difficult maturation process for Vivian. Moreover, as the Commission has emphasized, the *full context* in which the material appeared is critically important.<sup>4</sup> As noted above, the film chronicles the playful interaction between the main characters as they deal with the admittedly difficult issues facing a young woman as she matures.

The First Amendment is a critical constitutional limitation that demands that the Commission "proceed cautiously and with appropriate restraint."<sup>5</sup> Indecency determinations are difficult as demonstrated by the Commission's struggles in recent cases to define what is in fact indecent.<sup>6</sup> Ultimately, however, the outcome of this case is clear: Commission precedent and the Constitution require that the Commission deny the complaint filed against Station WTTG(TV) and take no further action against the licensee.

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<sup>4</sup> Id.

<sup>5</sup> In Re KBOO Foundation, Licensee of Noncommercial Educational Station KBOO-FM, Portland, OR, 18 FCC Rcd 2472, para. 5 (2003) ("KBOO") (citing United States v. Playboy Entertainment Group, Inc., 529 U.S. 803, 813-15 (2000); Action for Children's Television, 852 F.2d 1332, 1344 (D.C. Cir. 1988)).

<sup>6</sup> See, e.g., KBOO, 18 FCC Rcd at 2472 (rescinding a Notice of Apparent Liability for the willfully broadcast indecent language, including the phrase "six foot blow job machine"); In Re Citadel Broadcasting Co.; Licensee of Station KKMGM(FM), Pueblo, Colorado, 17 FCC Rcd 483 (2002) (rescinding a Notice of Apparent Liability for the willfully broadcast indecent language, including the phrase "It's funny cause at the rate I'm goin'; When I'm 30 I'll be the only person in the nursing home flirting; Pinching nurses asses when I'm BLEEP or jerkin'; Said I'm jerkin' but this whole bag of Viagra isn't workin'").

3. **With regard to each broadcast referred to in the response to Inquiry 1 above, provide any and all compact discs, videotapes, transcripts or other Documents reproducing or discussing the material reflected in the Complaint, plus the fifteen (15) minutes of material broadcast immediately before and after the material referred to in the Complaint. Provide any and all such recording on video compact disc (CD-R) and a written transcript of the material contained in each recording.**

ANSWER: See the attached Declaration of Molly Pauker, Vice President of Fox Television Stations, Inc., licensee of WTTG(TV), including Attachment A thereto (FCC-X01-004 is a compact disc (in CD-R format), which contains video of the requested broadcast).

4. **Provide copies of all Documents that provide the basis for or otherwise support the responses to Inquiries 1-3, above.**

ANSWER: See the attached Declaration of Molly Pauker, Vice President of Fox Television Stations, Inc., licensee of WTTG(TV), including Attachment A thereto.

Dated: November 19, 2004

## DECLARATION

Under penalty of perjury, Molly Pauker hereby states as follows:

1. I am Vice President of Fox Television Stations, Inc., licensee of WTTG(TV).
2. I have read the foregoing Response of WTTG(TV), Washington, D.C., to FCC Letter of Inquiry, dated November 19, 2004, which is responsive to the letter, dated October 20, 2004, to Fox Television Stations, Inc. from William H. Davenport, Chief, Investigations and Hearings Division, Enforcement Bureau (the "Letter of Inquiry").
3. I have personal knowledge of the facts contained therein and declare that such facts are true and correct. In addition, I declare that WTTG(TV) has no documents in its possession, custody or control responsive to the Letter of Inquiry, other than the documents attached hereto as Exhibit A (i.e., 3 responsive documents, a compact disc containing a copy of the requested material that was broadcast, and the associated transcript).



Molly Pauker  
Vice President, Fox Television Stations, Inc.,  
Licensee of WTTG(TV)

November 19, 2004.

**EXHIBIT A**

Bates Range	Quantity	Subtotal	Article	Resolution	Date	Title / Description
FCC-X01-001	3 and 4	WTTG(TV)	Twentieth Television / Johna Rendahl	Program Director		Reminder
FCC-X01-002	3 and 4	WTTG(TV)	Twentieth Television			Commercial Placement
FCC-X01-003	3 and 4	WTTG(TV)	Lori Bernstein-Baker	Program Director	July 19, 2004	Rating Letter
FCC-X01-004	3 and 4	WTTG(TV)			November 19, 2004	Video (CDR format)
FCC-X01-005	3 and 4				November 19, 2004	Program Transcript
FCC-X01-021						



# **\*\*REMINDER\*\***

To: Program Director / Satellite Coordinator  
From: Johna Rendahl - Twentieth Television  
CENTURY 19 PRESENTS:

## **"SLUMS OF BEVERLY HILLS"**

**Suggested Parental Guideline Rating: TV-14-L,S,D**

**"Parents strongly cautioned, many people would find this program unsuitable for children under 14 years of age. Contains intense sexual situations, strong coarse language, and intensely suggestive dialogue."**

**1998 Version - Starring Alan Arkin**

**2 Hour Barter Movie / Window 08/01/04 THROUGH 08/31/04**

This CENTURY 19 PRESENTS barter title will be distributed via satellite only!! This title is not to be telecast before 08/01/04 or your contractual start date without written consent of the 20th TELEVISION Contracts Department. Please check your CENTURY 19 PRESENTS contract for your exact start date.

**THIS FEATURE IS AVAILABLE BY SATELLITE ONLY !!!**

**\*SHOULD YOU REQUIRE TAPE THERE WILL BE A \$100.00 PER HOUR CHARGE\***

**Please Note: This title is satellite fed in STEREO only!**

### **SATELLITE INFORMATION:**

Satellite Trouble # (310) 369-6116

### **"SLUMS OF BEVERLY HILLS"**

**Feed #1: Monday 7/26/04 Galaxy IV R / Transponder 18 C**

**Test: 4:15AM-4:30AM ET**

**Program: 4:30AM-6:45AM ET**

**Audio: 6.2 Stereo Left & 6.8 Stereo Right**

**Feed #2: Tuesday 7/27/04 Galaxy IV R / Transponder 18 C**

**Test: 3:45PM-4:00PM ET**

**Program 4:00PM-6:15PM ET**

**Audio: 6.2 Stereo Left & 6.8 Stereo Right**

There will be a 10 minute reel change between reels One and Two

**REEL 1 = 58:53**

**REEL 2 = 59:37**

If you have any questions please call Johna Rendahl at 310-664-6894.

# SLUMS OF BEVERLY HILLS

Suggested Parental Guidance Rating: TV-14, L,S,D

"Parents strongly cautioned, many people would find this program unsuitable for children under 14 years of age. Contains intense sexual situations, strong coarse language, and intensely suggestive dialogue."

CAPTIONED: YES

AUDIO: Ch. 1 & 2 Stereo

REEL #: 1 of 2

AIR WINDOW: Aug 1 thru Aug 31, 2004

	[SC]	START	END	DURATION
MPAA Disclaimer		1:00:00	1:00:05	00:05
Segment 1		1:00:05	1:11:33	11:28
Billboard 1 Lead-in		1:11:33	1:11:36	00:03
Billboard 1A :06 Pfizer - Unisom	PFLP2051	1:11:36	1:11:41	00:05
Comm.# 1 National		1:11:41	1:13:13	01:32
1A :15 Pfizer - Unisom	PFLP2025			
1B :30 S.C. Johnson - Shout Liquid	JSST4033			
1C :15 Schick - Schick Quattro	PFSQ4615			
1D :15 Glaxosmithkline - Aquafreshe	GXAE4022			
1E :15 Wyeth - Centrum Carb	UJCC7112			
Segment 2		1:13:13	1:24:18	11:05
Bumper 1		1:24:18	1:24:23	00:05
Comm.# 2 Local Slums of Beverly Hills Promos: 1X :30 / :20 / :15 / :10		1:24:23	1:25:55	02:32
Bumper 2		1:26:55	1:27:00	00:05
Comm.# 3 National		1:27:00	1:29:32	02:32
3A :30 S.C. Johnson - Fresh Brush	JSSF4003			
3B :15 Wyeth - Advil	UJAV1729			
3C :30 The Gillette Company - Mach3Power	GSMP4023			
3D :30 Procter & Gamble Company - Infusium	PGIF4125			
3E :15 Pfizer - Listerine Pocket Pak	PFLE4885			
3F :15 McDonalds - May '04 \$ Menu	MCBD7585			
3G :15 Bayer Corporation - OAD Men's Health	MIQL4145			
Bumper 3		1:29:32	1:29:35	00:03
Segment 3		1:29:35	1:41:41	12:06
Bumper 4		1:41:41	1:41:46	00:05
Comm.# 4 Local		1:41:46	1:44:18	02:32
Bumper 5		1:44:18	1:44:23	00:05
Comm.# 5 National		1:44:23	1:46:55	02:32
5A :15 Johnson & Johnson - Clean & Clear	JJNN6308			
5B :30 S.C. Johnson - Deep Woods	JSOW4013			
5C :15 Bayer Corporation - Midol	MIMI3015			
5D :30 Adams - Dentyne Ice	PFDI2053			
5E :30 The Gillette Company - Venus Divine	GSDV4024			
5F :30 Pfizer - Zantac	PFZC4003			
Bumper 6		1:46:55	1:46:58	00:03
Segment 4		1:46:58	1:58:18	08:18
Bumper 7		1:58:18	1:58:21	00:03
Comm.# 6 National		1:58:21	1:58:53	02:32
6A :15 Wyeth - Alavert	UJKA1358			
6B :15 Pfizer - Listerine Pocket Pak	PFLE4685			
6C :30 S.C. Johnson - Plug Scent	JSGX4053			
6D :30 Johnson & Johnson - Adult Motrin IB	JJSY3409			
6E :30 Procter & Gamble Company - Pantene	PGPA3153			
6F :30 The Gillette Company - Mach3Power	GSMP4023			

TRT: 58:53

ROC-X01-002

July 19, 2004

STATION CALL LETTERS  
ADDRESS  
ATTENTION: PROGRAM DIRECTOR

Re: **CENTURY 19 - SLUMS OF BEVERLY HILLS - AUGUST TITLE  
RATINGS INFORMATION**

Dear Program Director:

As you know, the motion picture entitled **SLUMS OF BEVERLY HILLS** is scheduled to telecast from August 1, 2004 - August 31, 2004, as part of Twentieth Television's Century 19 package.

In order to assist you in rating this motion picture we suggest a rating of: **TV-14-L,S,D**

This rating is equivalent to the following: "Parents strongly cautioned, many people would find this program unsuitable for children under 14 years of age. Contains intense sexual situations, strong coarse language, intensely suggestive dialogue."

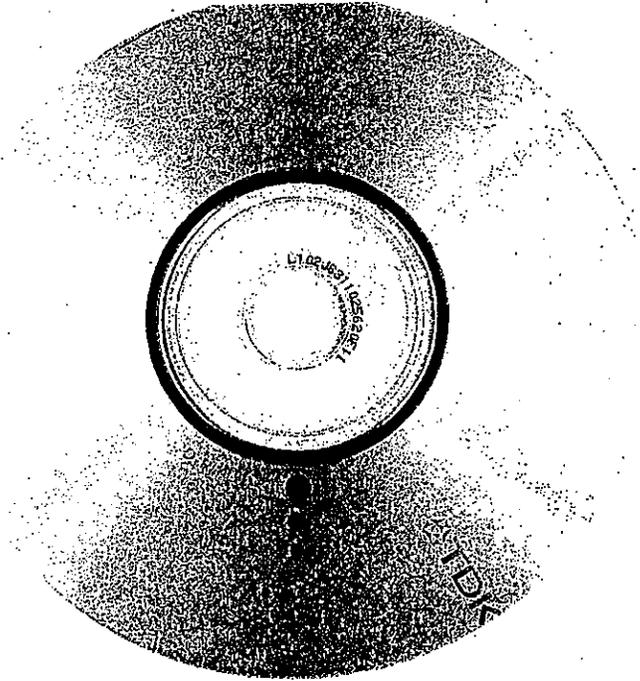
Please note that this rating will be affixed to the motion picture when it is sent out via satellite. This is a suggested rating only. It is the obligation of your station to review the motion picture and rate it as you feel is appropriate for the viewers in your DMA. Accordingly, if you deem it necessary to use an alternative rating please feel free to roll over the rating as it appears.

We hope that you will find this information useful.

Sincerely,

Lori Bernstein-Baker

FCC-X01-004



SLUMS OF BEVERLY HILLS - PARTIAL TRANSCRIPT

ELLIOT: You okay?

VIV: Don't tell anybody about this, okay? It's just a building thing. I don't want it to get around.

(scene change)

VIV: Hello? Hello? Ben? Ben, is that you in there? (knocks on door) What are you doing?

(opens door)

RITA: Oh my god!

VIV: You scared me.

RITA: You're all grown up. Come here, give me a big hug.

VIV: I thought you were going to be Ben.

RITA: Oh, Viv! I haven't seen anything like you in a long time. Oh, it's so good to see you. Oh, you look good, Viv! You haven't said how I look.

VIV: Uh, you - you look good.

RITA: OH, I'm tired, Viv, and I'm fat! (laughs)

VIV: Do you want a towel?

RITA: Stuff you like a pig in rehab. Well, if you want to live in California you gotta get rid of that east coast fat, right?

VIV: You're moving?

Rita: Your father didn't tell you? I'm staying here.

VIV: With us? Permanent?

RITA: You don't want me?

VIV: No. No, I mean yes, I -

RITA: Let me see your face.

VIV: What's wrong with it?

RITA: C'mere.

VIV: What is that?

RITA: Mm, there.

VIV: It stings.

RITA: For your mustache. Depilatory.

VIV: I have a mustache?

RITA: Just a faint one. So do I. That'll get rid of it. Jewish girl's secret weapon.

VIV: It's a Jewish Thing.

RITA: Mm, not only. A lot of beautiful women have them. So (spoken in gibberish with subtitle) can you still speak our secret language?

VIV: Gibberish, yeah.

RITA: So tell me something.

VIV: Like what?

RITA: I don't know. You're all grown up, I'm sure you've got something.

VIV: Okay. (in gibberish) Today I let a guy go up my shirt.

RITA: (In gibberish) Your boyfriend?!

VIV: No, no, just a guy.

RITA: Oh, well whoever he is, he's pretty lucky.

VIV: Why?

RITA: Vivian, look at you. If there's one thing your mother ever gave you, it's great (bleeped).

VIV: You think so?

RITA: Sure. So, (in gibberish) I'm going to nursing school.

VIV: What?

RITA: Mm, hm.

VIV: You're going to be a nurse?

RITA: You don't believe me?

Viv: I do, it's just -

RITA: I'll be like a medical assistant. Pulses, temperatures, appointments, stuff like that. I have the brochure. It's really all over this place. I put it in here so I wouldn't lose it. I hate when that happens. I'm trying to get organized. Oooh, look, from the airplane. Let's celebrate, let's make some cocktails.

VIV: I can't, can you? -- I mean I thought you're not supposed to anymore.

RITA: We can have a few celebratory cocktails, we're grownups.

VIV: What's there to celebrate about?

RITA: My secret. (gibberish) I'm in love.

MURRAY: Hi, kiddo.

RITA: Uncle Murray.

MURRAY: What do you think, Viv?

VIV: How come nobody ever tells me anything?

MURRAY: What's that on your face?

RITA: It's just a little mustachè.

MURRAY: I didn't know you have a mustache. See that?! One of the benefits of having another female in the house.

VIV: Can I take it off now?

RITA: (gibberish) Five minutes.

MURRAY: Yeah, look at this, look at this corned beef. Isn't that the most beautiful thing you ever saw in your life. Let's celebrate. Who wants a Dagwood?

RITA: I do.

VIV: Where is she going to stay?

MURRAY: We're moving. Mustard?

RITA: Yes.

VIV: Again? We just got here.

MURRAY: The luxury apartments across the street. This place is temporary. My brother is going to help us out.

VIV: Uncle Mickie's helping.

MURRAY: Yeah, I mean, you're going to have to stay in the same room. But you will be like sisters.

BEN: I parked the car across the street, Dad.

(Door slams)

BEN: What's that on your face?

VIV: Shut up.

MURRAY: Ben, leave her alone. It's for her mustache.

VIV: Dad!

BEN: Oh, my God, our sister is a Hermaphrodite.

VIV: I am not.

RICKY: What's a Hermaphrodite?

(laughter)

MURRAY: Ricky, want a sandwich?

VIV: A lot of famous women use this stuff. It's called -- what's it called?

RITA: Depilatory.

(Music playing) (scene change)

ELLIOT: Who's the lady? Is that your old man's girlfriend?

VIV: My cousin.

ELLIOT: She's a fox. (Music playing).

VIV: Check it out.

ELLIOT: Nice foyer, you're movin' up, Abromowitz.

(music playing)

ELLIOT: Ladies first. Wow, you got tunes in here and everything. Oh, someone's getting a free show.

VIV: Security.

ELLIOT: Well, I call it an invasion of privacy, damn. Wake up fag, I'm talking to you. Live from Spawn Ranch.

VIV: What are you doing? I've got to live here, will you stop it.

ELLIOT: So uptight. Have some fun, man. What's up with the mood swing? Are you a virgin or something?

VIV: I told you, you're my neighbor, you're not my type. It was a building thing.

ELLIOT: So?

VIV: You live down the street, we're going to see each other every day. You know how it gets after you do it.

ELLIOT: No, how does it get?

VIV: It gets weird.

ELLIOT: So you're -- so you're not a virgin?

RICKY: Viv? Feel it. It's plush.

BEN: Check out the Formica.

VIV: Wow, it's furnished.

ELLIOT: Big step up from Casabello.

VIV: Where's Rita?

MURRAY: She's in the pool.

VIV: There's a pool?

MURRAY: Yes.

RICKY: Are we rich now?

BEN: It's Uncle Mickie.

RICKY: Uncle Mickie is a millionaire.

BEN: He's well off, but he's not like Johnny Carson. Carson, he's a millionaire.

MURRAY: Hey, hey, what about your old man? Don't I get any credit around here?

VIV: Nice place, Dad.

RICKY: Finally we're rich. Miss Ball, there should be no treats this year.

(laughter)

VIV: This makes us middle class, right, Ben? Average? In the middle?

ELLIOT: I would call it bourgeois.

BEN: Bourgeois, French? That's an excellent word Aronson.

VIV: Is this it, are we bourgeois now?

BEN: Well, Dad's white collar, you're a salesman. I think that makes us middle class, sort of. Now Uncle Mickie owns his own business, you know, he owns property, a house. We rent.

MURRAY: What do you think your mother's living in, a teepee? That's my house she's got there. I bought it when I had the business.

VIV: That's right, Dad had his own place.

MURRAY: Damn-straight, I was a big shot, too (simultaneous speaking).

CHORUS: Did I ever tell you the time the time that Charlie the Cook --

MURRAY: Okay, wise guy.

VIV: That guy could cook a steak.

BEN: I think you might have mentioned it once, Dad.

MURRAY: This thick. That's how we served them. Add season and rare, and bloody.

(scene change)

MURRAY: Charlie, you're walking funny, you're limping, what's wrong?

CHARLIE: Hey! Inventory night.

MURRAY: I want you to know the steak is terrific. Sit down, let me buy you a drink.

CHARLIE: No, thanks anyway. I'm beat.

MURRAY: You're sweatin', Charlie, what's wrong?

CHARLIE: A long night, Murray. In the hot kitchen.

MURRAY: It's magic what you do with a steak, magic. Come on, sit with me, let me buy you one drink.

CHARLIE: Just one, Murray. My wife and kids.

MURRAY: Atta boy. How long you been working for me, Charlie?

CHARLIE: I'm tired Murray, I don't want to get into all this (bleeped).

MURRAY: Come on, I'm trying to make a toast.

CHARLIE: Eight years. I been working for you for eight years.

MURRAY: Eight years. To our friendship, Charlie. (toasting) Now you make a toast.

CHARLIE: I'm too tired to be philosophical.

MURRAY: Come on come on, you gotta say something. (stabs Charlie in the thigh with a fork) How come you're not screaming, Charlie? Didn't that hurt? You got a fork sticking out of your thigh, isn't that painful?

CHARLIE: I -- I -- I didn't --

MURRAY: Look at that, it's bleeding. Hmm, seasoned, tastes like steak. Stand up.

CHARLIE: Please.

MURRAY: Stand up, Charlie, I want to help you. I want to take a look at the wound. Is this your inventory you piece of (bleep) thief?

CHARLIE: It's been tight at home, Murray. My kids--

MURRAY: Tell your kids that the food in their stomach is from my (bleeped) restaurant. Let them know who the real father is. I'm their father. I'm their father. I'm their father.

(scene change)

BEN: Do you want a light?

VIV: Cigarette (inaudible) in your hand.

ELLIOT: That's quite a tale, quite a tale.

(Commercial interruption) 16.10.56 to 16.15.08.

MALE ON TV: Money ain't got no odor.

MALE ON TV: Pusher I'm looking for, went to high school on the east side. I want the name of that pusher.

MALE ON TV: No dice.

(scene change)

VIV: Can I have it?

RITA: Uh, sure. Why?

VIV: To impress my friends.

RITA: Okay.

VIV: You like Carol King?

RITA: Uh, she's Okay.

VIV: I've got Tapestry, the album. What's that?

RITA: My boyfriend. A vibrator. Haven't you ever seen one of these before?

VIV: Yeah, sure.

RITA: You can use it. What's mine is yours. The batteries still work. Here.

VIV: Ew.

RITA: Play with it a little

VIV: Ew.

(laughter between them, music playing, girls dancing, Uncle Murray walks in)

RITA: Turn it, turn it. The head. Turn the head (laughter). The head. Turn the head. The head (laughter).

(scene change)

MURRAY: Okay, try and act normal, she is a lady, sold her a car, I got her a great deal on. She is dying to meet you guys.

RICKY: Why does she want to meet us? Man.

MURRAY: Well, I gotta be with people my own age once in a while. She invited us over for dinner. She's a great cook. Do I look okay? Am I all right?

VIV: You look good, Daddy.

MURRAY: Okay, let's go. Try and act decent, like people.

DORIS: So I understand, you were vacationing, up north; the Bay area. I love it up there. Where did you stay?

RITA: Pinewood.

DORIS: I don't know that hotel.

RITA: It's not a hotel, it's a clinic.

VIV: It's more like a spa? You know, like a weight loss clinic (laughter).

MURRAY: Cover your mouth. It's new, very exclusive.

DORIS: Really? But, you're so thin. It's hard to believe that you were ever overweight.

VIV: Oh, you should have seen her before.

MURRAY: Viv, look how beautiful Doris keeps her nails.

VIV: Oh.

BEN: They're painted talons.

RICKY: What are talons?

VIV: Oh, they're really nice.

DORIS: Oh, thank you, it's hard to do certain things, but I can still smoke a cigarette.

MURRAY: Well, it's amazing what you can do to a chicken.

DORIS: You didn't spill on the seat cover, did you?

MURRAY: Uh-oh.

VIV: Oh, no. Admiring the fabric, it's so beautiful. I can't find my napkin.

DORIS: I did all the covers myself, needlepoint. I could teach you some stitches.

VIV: (Under table, gibberish) Do you have any tampons.

RITA: (gibberish) No. I don't need them.

DORIS: Well, you know, I got a great price

VIV: Here it is.

MURRAY: Welcome back.

RICKY: Doris, are you good at vocabulary words?

DORIS: I think so, Ricky.

RICKY: What's a Hermaphrodite?

MURRAY: What the hell kind of thing is that to say?!

RICKY: It's a word. Ben said it. You did.

MURRAY: Ben, get Doris some water.

DORIS: It's all right, I'm fine, it just went down the wrong pipe, is all.

MURRAY: Are you sure?

DORIS: Yea. Bathroom is down the hall, Dear.

VIV: Excuse me.

MURRAY: I'm still hungry.

VIV (from the bathroom): Doris?

DORIS: Murray, why don't you go ahead and serve the pie.

MURRAY: All righty.

BEN: Female problems.

MURRAY: Shut up and eat some pie

(laughter).

DORIS: You have to be prepared every month.

VIV: I thought it was over.

DORIS: The last day is sometimes the heaviest. Aha! Here you go. I kept some around for this very occasion. Bingo!! Look what else I found.

VIV: What's that?

DORIS: A menstrual belt.

VIV: For what?

DORIS: To hold it on, dear. There's a science to it. See these two little hooks? You can take the box with you.

(scene change)

TV: It's time for let's make a deal...

DORIS: Mur, stop. You're staring.

MURRAY: Pretty lady like you should be used to that by now. It's been a long time since I've thought about being with a woman.

DORIS: At my age, Murray, with two husbands dead and buried, I'm not looking for a lover. I'm looking for a companion.

MURRAY: Does that mean you don't want sex anymore?

DORIS: (screams)

MURRAY: What happened?

DORIS: Blood!! Blood on my needlepoint! Blood!

(scene change)

BEN: Quite a success. (laughter)

(scene change)

RITA: We meet up at pinewood, same group. Both Gemini's. Good families. He likes classical music, long walks, loves ludes, he's Jewish, he's an actor, he's perfect.

VIV: Is he famous?

RITA: Not yet..

VIV: Danny Roth.

RITA: Yep. Man of La Mancha. He did it as a one man show. Oh, Viv, six weeks and I'm already like solid. Feel them. Soon I'll be nothing but meals on heels.

VIV: Does he want to have a baby?

RITA: I haven't told him yet. But, Viv, I'm so ready to domesticate.

VIV: But don't you think you should tell him about it first?

RITA: Oh my g-oh, Viv. Look at my schedule. Read it.

VIV: "Day one, the art of your analysis." So?

RITA: Keep reading.

VIV: "All students are required to bring in a urine sample to work with. We've provided a specimen cup for your convenience." So?

RITA: So, they'll see it.

VIV: See what?

RITA: The baby! Don't you know anything about reproduction?

VIV: I know stuff.

RITA: Look, if you're pregnant they can see it in your urine. Now how's that gonna look, knocked up on my first day of school. It's not right.

VIV: Rita, when are you going to tell this guy about the baby?

RITA: Look, you and me, we're supposed to help each other, right? I need you to do this for me, Viv. Please. I love you, Viv.

COMMERCIAL 16.24.25 TO 16.30.20

BEN: I'm sleeping

RICKY: Do you like her?

BEN: Who, Vivian?

RICKY: No, Doris. I think she's weird.

BEN: She's not weird, she's just--she's normal. Now go back to sleep.

RICKY: She's so old. She smells old.

BEN: Dad's old.

RICKY: He is not. Not like her.

BEN: Dad is a senior citizen.

RICKY: No he's not.

BEN: He is 65 years old, Ricky. That's a senior citizen. It's a mathematical fact. Murray Samuel Abromowitz is in the autumn of his life. And -

RICKY: Take it back.

BEN: What?!

RICKY: Senior citizen, Ben, take it back.

BEN: Yeah, okay, okay I take it back.

RICKY: The whole thing.

BEN: Dad is not a senior citizen, all right? Will you get off me now?

RICKY: Ben? Can I sleep in your bed tonight?

BEN: Okay, fine. But hey, listen, listen, no funny business tonight. None! I'm serious.

RICKY: Oh, P.U. It stinks under here.

BEN: I've got gas. If you don't like it, leave.

RICKY: I can handle it.

(scene change)

VIV: Dad, what time is it? Are we moving? I gotta pack, are we moving?

MURRAY: No, no, no, we're not moving.

VIV: Thank God, I'm exhausted.

MURRAY: No, we're staying here for a long time. We get to stay put as long as she's okay. I like it here.

VIV: Yeah.

MURRAY: Best place we've been.

VIV: Yep.

MURRAY: Place to be proud of, not ashamed or embarrassed. We got the towels, we got the furniture.

VIV: What are you getting at, Dad?

MURRAY: I'm taking off with Doris, but just for tonight. To kind of make it up to her. She laughs at my jokes. You know how that makes a man feel at my age?

VIV: You're not old.

MURRAY: No, no, no, no, I'm like a horse, I'm like a rock.

VIV: Yes you are.

MURRAY: Take a poke, go on.

VIV: Like a horse.

MURRAY: Give me a hit.

VIV: Okay.

MURRAY: Go on. I'm in the best shape of my life. Keep an eye on sleeping beauty over there, okay. Make sure she gets to school tomorrow. It's her first day. Make sure she gets there and gets back. Keep her out of trouble, all right? How about an Eskimo kiss? You too old for that?

VIV: Hm, mm.

MURRAY: There's food money on the table. Good night.

(scene change)

VIV: "Warning: this should not be used over swollen or inflamed tissue. If swelling occurs, consult a physician."

(scene change)

TV: (music)

(knock on door)

BEN: Entre!

ELLIOT: Hey, is Vivian around?

BEN: Hey! Aronson. You know, you're just the man I was looking for. Come on in, have a seat. Do you want some Trix? There you go. Tell me when. Is that good? Listen, do you got any of the weed on you?

ELLIOT: Yeah, I've always got product.

BEN: Okay, so, uh, how about some samples.

ELLIOT: I can't just give it away. It's business...

BEN: Hey, am I charging you for the Trix here?

ELLIOT: The Trix was an offering, no strings attached.

BEN: This is not about the Trix, Elliot. Trix are for kids, right? It's the principle I'm talking about.

ELLIOT: What principle?

BEN: You're a salesman. I'm a potential customer. I'm just asking for a sample of your merchandise. Nothing big, a toke. Make a case out of it.

ELLIOT: No, product is product. It costs money.

BEN: Well, I've got money Elliot, that's not the point.

RICKY: Hey! That's our food money!

BEN: Shut up and get my bong. Okay, so, uh, how much for like a 2-finger bag?

ELLIOT: Uh, 20 bucks.

BEN: Tell you what, I'll let you have my sister if you give me a break, huh?

(scene change)

(music, radio in the background, Vivian dancing taking laundry out of the dryer)

RACHEL: I'm sorry, I didn't mean to scare you.

VIV: Oh no you didn't. Just, uh...

RACHEL: We live above you. My name is Rachel Hoffman, this is my sister Brooke.

VIV: Hi.

BROOKE: Rach, she's scary.

VIV: I'm sorry.

RACHEL: Deviated septum, sometimes it got so bad I couldn't even breathe, so while they were at it, they got rid of Daddy's bump.

VIV: It looks good.

RACHEL: You could get yours fixed. My doctor's the best in the business. Here (hands her a business card), he's been on TV, he does everybody. They call him the Michealangelo of Beverly Hills. He did my mother.

VIV: Your mom had her nose done too?

RACHEL: Yep. And her breasts.

VIV: Really? Silicone?

RACHEL: Nope. Reduced. Mom said they gave her a lot of trouble. Back pain.

MOTHER (from outside): Rach! Brooke! C'mon girls.

RACHEL: Well, she said big breasts are retardaire.

VIV: What?

RACHEL: Retardaire, passé. They made her look cheap.

MOTHER (from outside): I need some help with these.

BROOKE: C'mon!

RACHEL: Well...bye.

MOTHER: Who were you talking to in there?

RACHEL: Just some new girl.

MOTHER: Can you help me with these? C'mon, we've got a lot to do.

(scene change)

VIV: Hey guys, what's going on.

RICKY. Dad's gone and Ben's spending our food money on dope!

VIV: Ben!

BEN: Will you put something on? You know, we're all eating here, you're making us sick!

VIV: You can't do that.

BEN: Who made you the treasurer? I am the eldest. Now - good night mi padre - I've got a big audition from the summer music up in Beverly. Guys and Dolls. Now, your superb product is going to help me land the role that I feel I deserve. Sky Mastefson.

ELLIOT. Oh, Brando played that in the movie.

BEN. That's right.

RICKY: Last time it was Godspell.

VIV: That's stupid.

BEN: What was so stupid about it Vivian?

VIV: It was a stupid hippie leotard show.

BEN: Well, at least I'm trying to improve myself. What about you?

VIV: I'm improving.

RITA: Viv?

VIV: Coming.

BEN: I'm proud of my manhood. 1, 2, 3, 4... (sings) Luck be a lady tonight. Luck be a lady tonight. Luck if you've ever been a lady to begin with, luck be a lady tonight.

(scene change)

ELLIOT: Now what?

RITA: Make a right. Not here, there.

ELLIOT: Where?

RITA: There, after the driveway. Turn right here! Turn right here!

ELLIOT: Hey, will you hold onto that, it's a Cadillac. Give me the paper. All right, we're close. I know this neighborhood. I do a lot of business up here.

RITA: Really? What do you do?

VIV: He deals drugs.

ELLIOT: Vivian, would you mind not going around misrepresenting me like that? Geez. I don't want anyone to get the idea like I'm some kind of schoolyard pushover.

RITA: Oh, I don't mind. In fact, do you have anything for my nerves? You know, just laying around? Seconal, demoral, terminal, valium, qualud, percocet?

VIV: Rita!

ELLIOT: Not my merchandise. I deal exclusively in pot. That's the street, right down the hill.

RITA: Okay, stop the car.

ELLIOT: What?

RITA: Stop!!

VIV: Why did we stop?

RITA: I'm gonna walk. I want to surprise him.

VIV: He doesn't know you're coming?

RITA: Not exactly. I said I was going to drop by sometime, but I didn't say when. He's gonna freak when he sees me in this outfit.

VIV: You're gonna tell him, right?

RITA: You can't just tell a guy you're pregnant.

VIV: Why not?

ELLIOT: You're pregnant?

RITA: Look at him. Men freeze up, they go into shock. You gotta lay the groundwork first. Break down their natural resistance, reestablish the passion. That's what this visit is all about.

VIV: How long is it going to take to do that?

RITA: Not long.

VIV: 'cause we only got 15 minutes, 20 minutes max. You're not going to make it to school on time.

RITA: Don't worry, Viv. I'm a grownup. I've got it all under control.

(music playing) (Elliot singing along with the radio, Vivian turns it off.)

ELLIOT: Hey, that was a good song.

VIV: How long has she been in there?

ELLIOT: If she comes out in the next 10 minutes, we'll still be able to make it. Just relax. Take in the sights.

VIV: What sights. I - I only see bushes.

ELLIOT: See that?

VIV: What?

ELLIOT: That - that house over there?

VIV: Yeah, so what?

ELLIOT: You know what street that is?

VIV: No.

ELLIOT: Cielo Drive.

VIV: Is this supposed to be interesting? It's like, I-I'm under a lot of pressure right now.

ELLIOT: Does "political piggy" ring a bell?

VIV: What?

ELLIOT: Sharon Tate, Valley of the Dolls, Polanski?

VIV: Elliot? You're bugging me.

ELLIOT: That's the house right there, August 9, 1969. Open the glove compartment.

VIV: No, let's get out of here, let's pick her up.

ELLIOT: C'mere, just look at this. Look at this. I want to show you this. This guy's gonna be up for parole, man. Check it out. Seven counts of first degree murder, Spawn Ranch...

VIV: C'mon. Just stop it all right?

ELLIOT: Revelation knowledge-

VIV: This is creepy, let's get -

ELLIOT: The maid-

VIV: Let's get out of here.

ELLIOT: The maid discovered the bodies.

VIV: All right, look, I'm leaving. I'm getting Rita.

ELLIOT: Hold on, come back. I'll drive you.

VIV: Yeah, I'll hitch.

ELLIOT: I wanna, I just wanted to show you -

VIV: No you didn't. You're just trying to scare me so I'll throw myself into your perverted arms. You're sick! Charles Manson is sick.

ELLIOT: This isn't sick, Vivian! This is history. You know what that means? It's a book, I didn't make it up. Our histories, Vivian, yours and mine, so grow up!

COMMERCIAL BREAK 16.42.22 to 16.46

VIV: Hello? Ah...oh.



**FEDERAL COMMUNICATIONS COMMISSION**  
Enforcement Bureau  
Investigations and Hearings Division  
445 12<sup>th</sup> Street, S.W., Suite 4-C330  
Washington, D.C. 20554

October 20, 2004

**VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED**  
**AND FACSIMILE AT (202) 895-3222**

Ms. Molly Pauker, Vice-President  
Fox Television Stations, Inc.  
5151 Wisconsin Avenue, N.W.  
Washington, DC 20016

Re: Station WTTG(TV), Washington, D.C.  
File No. EB-04-IH-0474

Dear Licensee:

The Enforcement Bureau is investigating allegations contained in the enclosed complaint (the "Complaint") that Fox Television Stations, Inc. broadcast indecent material over Station WTTG(TV), Washington, D.C. in violation of Title 18 U.S.C. § 1464 and section 73.3999 of the Commission's rules, 47 C.F.R. § 73.3999. Specifically, it is alleged that indecent material was aired during the station's broadcast of the film "The Beverly Hills Slums" on August 22, 2004, at approximately 4:00 p.m. We direct the Licensee, as defined herein, pursuant to sections 4(i), 4(j), 308(b) and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 308(b), and 403, to provide the information and Documents, as defined herein, within thirty (30) calendar days from the date of this letter.

**Instructions**

If the Licensee requests that any information or Documents, as defined herein, responsive to this letter be treated in a confidential manner, it shall submit, along with all responsive information and Documents, a statement in accordance with section 0.459 of the Commission's rules. 47 C.F.R. § 0.459. Requests for confidential treatment must comply with the requirements of section 0.459, including the standards of specificity mandated by section 0.459(b). Accordingly, "blanket" requests for confidentiality of a large set of documents are unacceptable. Pursuant to section 0.459(c), the Bureau will not consider requests that do not comply with the requirements of section 0.459.

Ms. Molly Pauker, Vice-President  
Fox Television Stations  
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If the Licensee withholds any information or Documents under claim of privilege, it shall submit, together with any claim of privilege, a schedule of the items withheld that states, individually as to each such item, the numbered inquiry to which each item responds and the type, title, specific subject matter, and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific ground(s) for claiming that the item is privileged.

Each requested Document, as defined herein, shall be submitted in its entirety, even if only a portion of that Document is responsive to an inquiry made herein, unless the Document is a recording or transcript, in which case it should be provided only for the period of time of the broadcast specified in the pertinent inquiry herein. This means that the Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. All written materials necessary to understand any Document responsive to these inquiries must also be submitted.

If a Document responsive to any inquiry made herein existed but is no longer available, or if the Licensee is unable for any reason to produce a Document responsive to any inquiry, identify each such Document by author, recipient, date, title, and specific subject matter, and explain fully why the Document is no longer available or why the Licensee is otherwise unable to produce it.

With respect only to Documents responsive to the specific inquiries made herein and any other Documents relevant to those inquiries, the Licensee is directed to retain the originals of those Documents for twelve (12) months from the date of this letter unless (a) the Licensee is directed or informed by the Enforcement Bureau in writing to retain such Documents for some shorter or longer period of time or (b) the Enforcement Bureau or the Commission releases an item on the subject of this investigation, including, but not limited to, a Notice of Apparent Liability for Forfeiture or an order disposing of the issues in the investigation, in which case, the Licensee must retain all such Documents until the matter has been finally concluded by payment of any monetary penalty, satisfaction of all conditions, expiration of all possible appeals, conclusion of any collection action brought by the United States Department of Justice or execution and implementation of a final settlement with the Commission or the Enforcement Bureau.

The specific inquiries made herein are continuing in nature. The Licensee is required to produce in the future any and all Documents and information that are responsive to the inquiries made herein but not initially produced at the time, date and place specified herein. In this regard, the Licensee must supplement its responses (a) if the Licensee learns that, in some material respect, the Documents and information initially disclosed were incomplete or incorrect or (b) if additional responsive Documents or information are acquired by or become known to the Licensee after the initial production. The requirement to update the record will continue for twelve (12) months

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from the date of this letter unless (a) the Licensee is directed or informed by the Enforcement Bureau in writing that the Licensee's obligation to update the record will continue for some shorter or longer period of time or (b) the Enforcement Bureau or the Commission releases an item on the subject of this investigation, including, but not limited to, a Notice of Apparent Liability for Forfeiture or an order disposing of the issues in the investigation, in which case the obligation to update the record will continue until the release of such item.

For each Document or statement submitted in response to the inquiries below, indicate, by number, to which inquiry it is responsive and identify the person(s) from whose files the Document was retrieved. If any Document is not dated, state the date on which it was prepared. If any Document does not identify its author(s) or recipient(s), state, if known, the name(s) of the author(s) or recipient(s). The Licensee must identify with reasonable specificity all Documents provided in response to these inquiries.

Unless otherwise indicated, the period of time covered by these inquiries is January 1, 2004, to the present.

#### Definitions

For purposes of this letter, the following definitions apply:

"Any" shall be construed to include the word "all," and the word "all" shall be construed to include the word "any." Additionally, the word "or" shall be construed to include the word "and," and the word "and" shall be construed to include the word "or." The word "each" shall be construed to include the word "every," and the word "every" shall be construed to include the word "each."

"Broadcast," when used as noun, shall mean any images and audible sounds or language transmitted or disseminated over a station during the course of a television broadcast.

"Broadcast," when used as a verb, shall mean the transmission or dissemination of radio communications or television signal intended to be received by the public. The verb broadcast may be used interchangeably with the verb "air."

"Document" shall mean the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any broadcast, radio program, advertisement, book, pamphlet, periodical, contract, correspondence, letter,

Ms. Molly Pauker, Vice-President  
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facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tape, disks and such codes or instructions as will transform such computer materials into easily understandable form).

"Identify," when used with reference to a person or persons, shall mean to state his/her full legal name, current business address, and phone number. "Identify," when used with reference to a document, shall mean to state the date, author, addressee, type of document (e.g., the types of document, as described above), a brief description of the subject matter, its present or last known location and its custodian. "Identify," when used with reference to an entity other than a person, shall mean to state its name, current or last known business address, and current or last known business telephone number.

"Licensee" shall mean the Fox Television Stations, Inc., licensee of Station WTTG(TV), Washington D.C., and any predecessor-in-interest, affiliate, parent company, wholly or partially owned subsidiary, other affiliated company or business, and all owners, including but not limited to, partners or principals, and all directors, officers, employees, or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the period covered by this letter.

Inquiries: Documents and Information to be Provided

1. With regard to the material described in the Complaint, state whether the Licensee broadcast the film "The Slums of Beverly Hills" over Station WTTG(TV) on the respective date and time for the segment indicated in the Complaint and/or on that or any other date between 6:00 a.m. and 10:00 p.m.
2. With regard to each broadcast referred to in the response to Inquiry 1 above, if the programming described in the Complaint does not accurately reflect the material broadcast over Station WTTG(TV), describe any inaccuracies.
3. With regard to each broadcast referred to in the response to Inquiry 1 above, provide any and all compact discs, videotapes, transcripts or other Documents reproducing or discussing the material reflected in the Complaint, plus the fifteen (15) minutes of material broadcast immediately before and after the material referred to in the Complaint. Provide any and all such recordings on video compact disc (CD-R) and a written transcript of the material contained in each recording.
4. Provide copies of all Documents that provide the basis for or otherwise support the responses to Inquiries 1-3, above.

Ms. Molly Pauker, Vice-President  
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October 20, 2004  
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We direct the Licensee to support its responses with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of the Licensee with personal knowledge of the representations provided in the Licensee's response, verifying the truth and accuracy of the information therein and that all of the Documents and information requested by this letter which are in the Licensee's possession, custody, control or knowledge have been produced. If multiple Licensee employees contribute to the response, in addition to such general affidavit or declaration of the authorized officer of the Licensee noted above, provide separate affidavits or declarations of each such individual that identify clearly to which responses the affiant or declarant is attesting. All such declarations provided must comply with section 1.16 of the Commission's rules, 47 C.F.R. § 1.16, and be substantially in the form set forth therein. To knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment. *See* 18 U.S.C. § 1001; *see also* 47 C.F.R. § 1.17.

The Licensee shall direct its response, if by messenger or hand delivery, to the attention of David Brown, Esq., Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, c/o NATEK, 9300 East Hampton Drive, Capitol Heights, MD 20743. If sent by mail, the response should be sent to Mr. Brown, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 4C-330, Washington, DC. 20554. The Licensee shall also, to the extent practicable, transmit a copy of the response via facsimile to Mr. Brown at (202) 418-2080 or via email to [dbrown@fcc.gov](mailto:dbrown@fcc.gov).

Sincerely,



William H. Davenport  
Chief, Investigations and Hearings Division  
Enforcement Bureau

Enclosure

FCC ENFORCEMENT BUREAU

2004 SEP 13. P 3: 20

Diana H. Becker  
10228 Grovewood Way  
Fairfax VA. 22032

August 26, 2004

FCC Enforcement Bureau  
Investigations and Hearing Division

Sunday at 4:30 in the afternoon  
I turned on my television and was  
appalled at what I viewed on  
Fox 5!! The Dums of Beverly Hills  
was being broadcast, August 22, 2004

The scene was two young women  
and a bed. One young woman threw  
a vibrator across a bed at the other  
young woman and said, "Here, you can  
use anything I have!" The other young  
woman caught the vibrator and turned  
it on. Then one of their fathers knocked  
on the door. The one young woman,  
answered it with the vibrator vibrating  
in her hand. The other young woman  
said, "~~Just~~ Twist the head!  
Twist the head!" Later as I returned  
to the broadcast to relate to you what  
was broadcast the scene was a bathroom  
scene. The one young woman found her

friends vibrator in the bathroom David decided to use it. You see her facial expression as she inserts the vibrator.

This material should not be available for regular television!! This is XXX material!! I was outraged!! If my grandchildren were visiting, I could have been in the kitchen cooking and not even aware of what they would have been viewing. Worse than that look at how many young people in America could have believed that!!!

We have a responsibility to protect our society from the obscene or it will destroy our society sexually and destroy society.

202-244-5151 I called and spoke to Fox 5, Sonya Song is the Program Manager. She told me The Glums of Hollywood was viewed before it was broadcast, but she refused to tell me who viewed it. I informed the General Manager Duffy Dyer of the situation and informed him he may want to find out who viewed it before it was broadcast because he may want to ~~fire~~ fire that person before he gets fired.

because I am reporting this to  
the F. C. C. !!

I was also informed that this  
material was given them by  
20th Century Fox and was  
lobbed Edited for T. V.

Well, I think we got a problem  
here and I want to know  
what you are going to do about  
it.

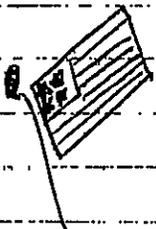
I want to know what becomes  
of this situation. I am concerned  
about its impact on America. !!!  
There is a file burning and we've  
got to put it out!

Please keep me informed of what  
becomes of this situation. Please TAKE ACTION

You can reach me 703-629-7965 Diana.

Sincerely

Diana H. Becker



P.S. Protect America Land that I love!