

March 6, 1996

Brent. M. Duckor  
Via fax 212 868 1229

Dear Mr. Duckor:

Thank you for your call and materials. The first International Broadcast Standards Summit and the Cultural Environment Movement Founding Convention will take place next week in St. Louis, MO. We are the broad coalition of both mainstream and "minority" organizations (at this time over 150, including the National Council of Churches, Physicians for Social Responsibility, AFTRA and the Screen Actors Guild) that will begin the long task of building mechanisms of non-governmental non-corporate citizen participation (or at least a voice) in the increasingly global cultural decision-making now going on almost entirely behind closed doors.

The International Broadcast Standards Summit, a pre-Convention event, will begin in the evening of March 14, 1996 and conclude with an afternoon session the next day, when the Founding Convention begins. Attending the Summit will be Keith Spicer, Chairman of the Canadian Radio-television and Telecommunications Commission; Colin Shaw, Director of the Broadcasting Standards Council of Great Britain; Yassen N. Zassoursky, President of the Licensing Authority of the Russian Republic; Cees Hamelink, Director of the Centre for Communication and Human Rights in Amsterdam; Jill Hills, Professor of Communications Policy Studies at the City University, London; Ronald L. Cohen, Director of the National Broadcast Standards Council of Canada; Sophie Cathelineau of the Conseil Superior de l'Audiovisuel, the French broadcasting authority; Janos Timar of the Hungarian Ministry of Culture and Education; Nicholas Johnson, former Commissioner of the U.S. Federal Communications Commission, and other experts from the U.S. and other countries.

Jeffrey Cole, Director of the Center for Communication Policy Studies at UCLA and Kathryn Montgomery, President of the Washington, D.C.-based Center for Media Education will chair the morning and afternoon sessions, respectively.

The Summit will precede the Founding Convention of the Cultural Environment Movement (CEM), an invitational meeting on the campus of host and co-sponsor, Webster University. CEM is a coalition of independent grass-roots citizens' organizations and supporters in every state of the U.S. and 57 other countries on six continents. Delegates to the

Convention represent the leadership of a wide range of social and cultural organizations and concerns, united in working for freedom, fairness, diversity, responsibility, respect for cultural integrity, the protection of children, and democratic decision-making in the cultural mainstream of all countries. It is committed to opposing censorship (including that of the market formulas imposed on journalists and other creative media professionals), and presenting the liberating alternative to the culture wars going in a repressive direction.

The International Broadcast Standards Summit will discuss national programming policy priorities, issues involved in the development of international standards, and the draft of a universal People's Communication Charter. The CEM Founding Convention will formally open at 4 pm. Participants in the Summit will also take part in its deliberations.

Convention keynote speakers include Joan Brown Campbell, General Secretary, National Council of Churches; Dorothy Gilliam, *Washington Post* columnist and Immediate Past President of the National Association of Black Journalists; Robert McChesney, historian and author of *Telecommunications, Mass Media and Democracy*; Sumi Sevilla Haru, Immediate Past President of the Screen Actors Guild; Riane Eisler, cultural historian, author of *The Chalice and the Blade: Our History our Future*; Fred Garcia, Acting Drug Control "Tzar" of the U.S., Lynn Curtis, President of the Eisenhower Foundation, Keyan Tomaselli, Director, Centre for Cultural and Media Studies, University of Natal, Durban, South Africa; and Teresa Heinz, Chair, Heinz Family Philanthropies (invited), Mark Crispin Miller of Johns Hopkins University, author of *Boxed In: The Culture of TV*; and Bill McKibben, author of *The Age of Missing Information*.

Performances by the Infinity Dance Theater, Red Path Native American musicians, Key of See Storytellers, Artists for Recovery, Charlie Murphy youth development worker, Neddie Astudillo Latin American community activist and singer, Samba Bom Brazilian band, and other artists will be special features at the Convention.

Summit participants arriving in St. Louis on Thursday, March 14 are invited to dinner at the convention hotel that evening and a "preview" and discussion after dinner. Accommodations and all meals will be our responsibility. Travel may be arranged by your office or by the Convention's travel agent, Brentwood Travel, 800 466 0024 or 314 961 5333, which will also make hotel reservations.

There are several crucial legal, anti-trust and constitutional issues related to our concerns, especially since the Telecommunications Act is speeding up the merger

Brent Ober - missing page.

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mania of recent years. We hope that you be able to attend part or all of the Summit and Founding Convention and we will have a chance to discuss further any mutual interests that may develop.

Attached is a sheet of additional information and a registration form. As time is short and places limited, please call or fax your response as soon as possible to 215 387 1560 or, if you have further questions, to any me at any of the numbers given below.

Sincerely yours,



George Gerbner, Dean Emeritus  
The Annenberg School for Communication  
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Founder and Chair, the Cultural Environment Movement  
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March 6, 1996

By Fax

George Gerber  
Cultural Environment Movement

Re: General Information and Background on Upcoming  
Conference in March 1996

Dear Mr. Gerber:

It was a pleasure speaking with you today. Thank you for your time and consideration.

As I mentioned on the telephone, Prof. Mark Crispin Miller of Johns Hopkins University said I should contact you regarding information on the upcoming summit/meeting schedule this month.

We are interested in learning more about your organization and upcoming events. Please forward any relevant information on either matter.

Very truly yours,

Brent M. Duckor  
Legal Assistant

bmd

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The practice of Milberg Weiss Bershad Hynes & Lerach focuses on complex litigation, with an emphasis on prosecution of civil actions for securities violations, accountants' misconduct, and breach of duty by corporate fiduciaries. Much of our work concentrates on representing plaintiffs in securities fraud cases, both for private officers and as lead counsel in class actions. We also take on significant antitrust, commercial and consumer fraud, toxic and other health-related tort, and environmental cases. We generally represent plaintiffs, and have handled matters on contingency, hourly, and mixed-fee bases. We practice in federal and state courts throughout the country and have an active arbitration practice for securities disputes.

Some cases in which the firm is playing or has played a lead or major role representing plaintiffs include the Washington Public Power Supply System securities litigation; the Kootenai-Lincoln Savings securities litigation; the FDIC's audit failures case against Ernst & Young in Tennessee; securities litigation against Apple Computer; the Stringfellow toxic waste dump site environmental litigation; the Alaska oil spill litigation; and the City of San Jose's action against brokers and accountants involving investment of funds—all of which have gone to trial in the last few years. In addition, we have represented class plaintiffs in numerous major securities actions, including the Drexel/Milken litigation (acting as co-counsel with Cravath, Swaine & Moore, which represented the FDIC and RTC in those matters); have acted as counsel for bankruptcy estates or trustees in such major corporate failures as Phar-Mor, Inc. and Colonial Realty Co. in actions against their former accountants; and represent plaintiffs in antitrust actions in the beer and prescription drug industries. We are also co-counsel for IBM in defending securities fraud actions. We have been lead counsel in class actions with aggregate recoveries for plaintiffs in excess of \$4 billion.

In addition to our class action work, we represent private clients in most of our practice areas. For example:

- We have frequently represented substantial stock purchasers and acquiring

companies in asserting securities fraud and related claims against issuers, sellers, and accounting firms. Occasionally we also take on defense work in these areas.

- We have represented minority owners of significant business enterprises in disputed control, transactional, and takeover situations.

- Due to our familiarity with accounting issues, we have represented plaintiffs asserting malpractice and fraud claims arising out of failed audits, acquisition reviews, and related matters.

- We take on significant claims against brokers and other fiduciaries, including complex churning, unsuitability, and other investment matters and breach of fiduciary duty cases against corporate trustees and others.

- We represent private clients asserting claims, often involving price fixing or price discrimination, in complex antitrust litigations.

The practice of all of our litigation attorneys generally extends over the firm's entire fields of representation, without significant further specialization. The resulting flexibility in attorney staffing of cases, and our background in prosecuting cases for plaintiffs, often on a contingent basis, means that we use the "leanest" approach possible, consistent with achieving superior results, in litigating our cases.

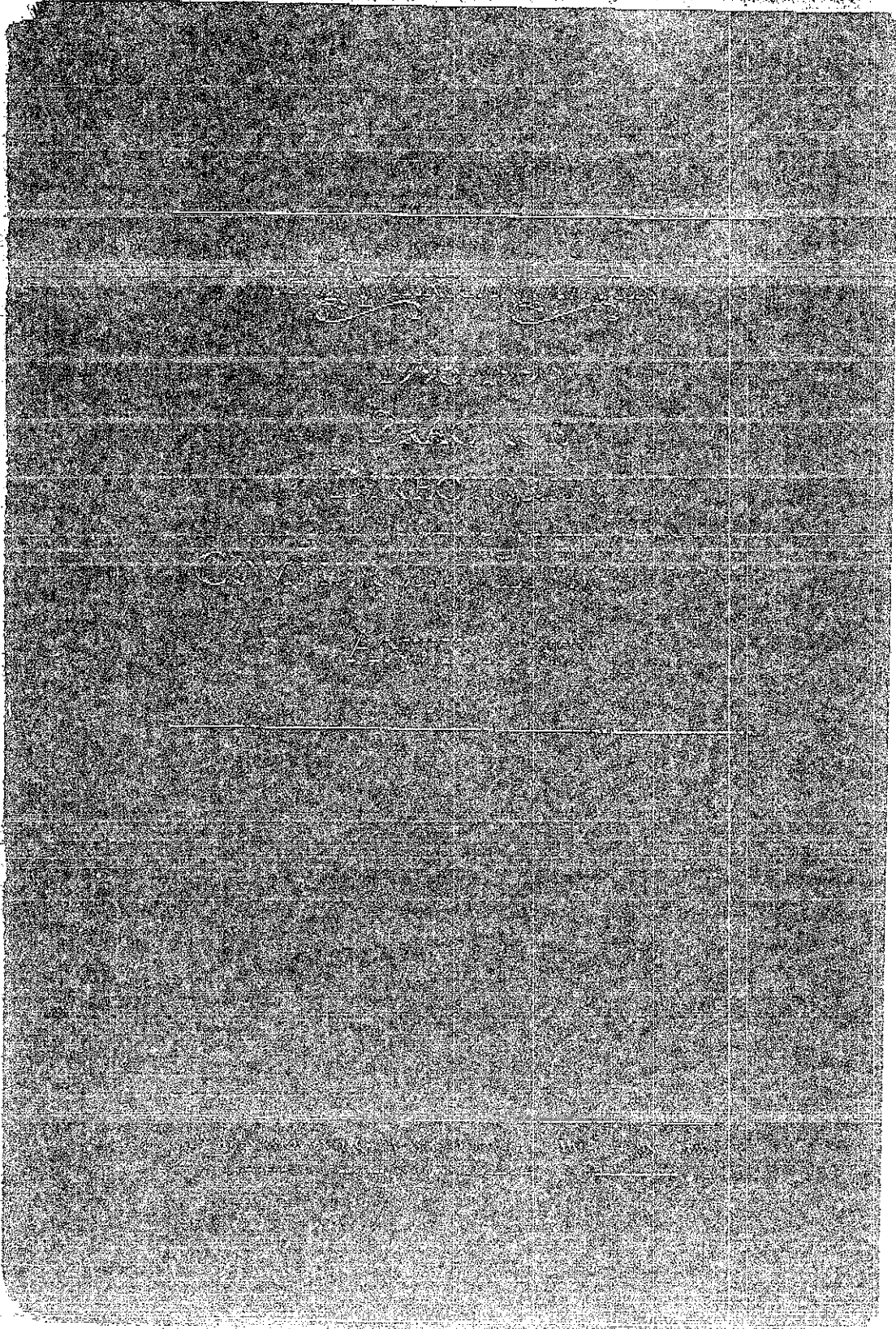
Melvyn I. Weiss (*New York*) is the firm's senior partner and co-founder. He was co-lead counsel in the WPPSS securities litigation, where class plaintiffs recovered in excess of \$800 million; is lead negotiator for major securities claimants in Drexel/Milken matters; and is lead settlement counsel in the Exxon Valdez oil spill litigation, among his many involvements in major cases. He is a fellow of the American College of Trial Lawyers and was named as one of the "100 Most Influential Attorneys" by the *National Law Journal* in 1994 and one of the "100 Most Influential People in Accounting" by *Accounting Today* in 1994. William S. Lorch (*San Diego*) is senior managing partner in the San Diego office. He leads the prosecution of numerous securities class actions and is heavily involved in litigation against the tobacco industry. He was named as one of the "100 Most Influential Attorneys" by the *National Law Journal* in 1994 and is a master of the American Inns of Court. He has served as a lawyer-delegate to the Ninth Circuit Judicial Conference and is a member of the California Senate Commission on Corporate Governance and Stockholders' Rights. David J. Bershad (*New York*) is managing partner in the New York office. He is expert in analyzing and negotiating complex business and financial matters, and has achieved recoveries in excess of \$200 million in the Baldwin United annuities class actions and \$150 million for a group of nine private investors in the telecommunications industry. Patricia M. Hynes (*New York*) was executive assistant U.S. attorney for the Southern District of New York before joining the firm, and has the most extensive trial experience among our senior partners. She is a fellow of the American College of Trial Lawyers and is active in trials and arbitrations across our fields of practice. All of our partners also have significant involvement in policy-oriented and educational work in our fields.

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March 7, 1996

By Fax

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Re: The International Broadcast Standards Summit of  
the Founding Convention Sponsored by CEM

Dear Mr. Gerbner:

Thank you for your letter dated March 6, 1996 about the  
IBSS convention in St. Louis next week. We look forward to  
hearing about similar events you are planning in the future.

To address the last paragraph in your letter dated  
March 6, 1996, one way to frame the question is: has there been  
any agreement in restraint of trade between the parties, one that  
suggests a record of concerted activities, like a "meeting of  
minds" or "pattern of action" that makes sense for a group but  
not for an individual economic actor. Ultimately, to litigate an  
anti-trust suit the question reduces to: what can you infer from  
a chain of circumstantial evidences? The fact that the media  
industry is owned by a few players, or that it resembles an  
oligopolistic market with decision-making power in the hands of a  
few is probably not sufficient to create anti-trust liability.

George Gerber  
March 7, 1996  
Page 2

While Prof. Miller points to the existence of "a cultural trust that squeezes out competition," (cited in the New York Times article dated March 6, 1996), one would need to make a more nuanced, empirical argument under the law.

Very truly yours,



Brent M. Duckor  
Legal Assistant

bmd