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Opinions of the United
States Court of Appeals
for the Third Circuit

6-3-2016

Prometheus Radio v. FCC

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UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Nos. 03-3388, 03-3577, 03-3578, 03-3579, 03-3580, 03-3581, 03-3582, 03-3651, 03-3665, 03-3675, 03-3708, 03-3894, 03-3950, 03-3951, 03-4072, 03-4073 & 04-1956

PROMETHEUS RADIO PROJECT

vs.

FEDERAL COMMUNICATIONS COMMISSION;
UNITED STATES OF AMERICA

Prometheus Radio Project, Petitioner in No. 03-3388
Media General, Inc., Petitioner in No. 03-3577
National Association of Broadcasters, Petitioner in No. 03-3578
The Network Affiliated Stations Alliance, The ABC Television Affiliates Association,
The CBS Television Affiliates Association and NBC Television Affiliates,
Petitioners in No. 03-3579
Fox Entertainment Group, Inc. and Fox Television Stations, Inc.,
Petitioners in No. 03-3580
Viacom Inc., Petitioner in No. 03-3581
National Broadcasting Company, Inc., and Telemundo Communications Group, Inc.,
Petitioners in No. 03-3582
Sinclair Broadcast Group, Inc., Petitioner in No. 03-3651
Media Alliance, Petitioner in No. 03-3665
Paxson Communications Corporation, Petitioner in No. 03-3675
National Council of the Churches of Christ in the United States, Petitioner in No. 03-3708
Tribune Company, Petitioner in No. 03-3894
Paxson Communications Corporation, Petitioner in No. 03-3950
Emmis Communications Corporation, Petitioner in No. 03-3951
Center for Digital Democracy and Fairness and Accuracy in Reporting,
Petitioners in No. 03-4072
Clear Channel Communications, Petitioner in No. 03-4073
American Hispanic Owned Radio Association, Civil Rights Forum on Communications
Policy, League of United Latin American Citizens, Minority Business Enterprise Legal
Defense and Education Fund, Minority Media and Telecommunications Council,
National Asian American Telecommunications Association, National Association of
Latino Independent Producers, National Coalition of Hispanic Organizations, National
Council of La Raza, National Hispanic Media Coalition, National Indian
Telecommunications Institute, National Urban League, Native American Public
Telecommunications, Inc., PRLDEF-Institute for Puerto Rican Policy, UNITY:

Journalists of Color, Inc. and Women's Institute for Freedom of the Press, Petitioners in
No. 04-1956

On Petition for Review of an Order of
The Federal Communications Commission
(FCC No. 03-127)

Argued February 11, 2004

Before: SCIRICA, AMBRO and FUENTES, Circuit Judges

(Opinion filed June 24, 2004)

ORDER AMENDING PRECEDENTIAL OPINION

AMBRO, Circuit Judge

IT IS NOW ORDERED that the published Opinion in the above case filed June 24, 2004, be amended as follows:

On page 12, under outline section E, point 2, subsections "a" and "b," replace both of the words "justified" with "justify"

On page 117, on the first line, within subtitle "a," replace the word "justified" with "justify"

On page 118, fifth line down, within subtitle "b," replace the word "justified" with "justify"

On page 118, ninth line down, replace the word "justified" with "justify" so that the phrase reads "the Commission did not sufficiently justify that five equal-sized . . ."

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: June 3, 2016
tmm/cc: all counsel of record