



June 28, 2013

ATTN: FCC

RE: KBSO 94.7 Corpus Christi, TX which is up for renewal of license.

The attached is a complaint I am filing against the owner of KBSO, 94.7 in Corpus Christi, TX for unfair business practices.

Sincerely,

A handwritten signature in black ink that reads "Thomas Imber". The signature is fluid and cursive, with the first name "Thomas" and last name "Imber" clearly distinguishable.

Thomas Imber
523 Old Course
Friendswood, TX 77546
713.408.7472

KBSO, 94.7 in Corpus Christi, TX is up for license renewal. I am filing this complaint based on unfair business practices by owner, Manuel Davila. Please investigate this matter further.

I took over ownership of the brand Badlands while doing an LMA with KBSO, 94.7 in Corpus Christi, TX in 2010. Over the next 3 yrs I built an amazing, honest, hardworking and talented team. We improved the brand, into one of the hottest radio stations, not just in Corpus Christi but all over the world via our free app available anywhere in the world. I increased our revenue over 2000% in under 3 years.

I have always been late making payments for the lease of KBSO to Mr. Davila, due to the mountain I've had to climb. But, I have paid him up to date, minus the last check he didn't show up to collect. We even paid for repairs to equipment that wasn't ours, paid for plumbing, air conditioning repairs to tower owners building and even paid his wife/business partner Rebecca Davila as Office Manager without asking her to show up. This was all agreed on and I was fine with it. Mr. Davila and I would meet very often and have lunch to review status of station, payments and just talk about how radio is changing daily. I made all of my payments the past 3 years but, as times got more difficult getting advertisers to buy FM radio I was late regularly. But, it was understood and everything was paid best I could.

Mr. Davila never had any issues with this history of payments until he decided to come back into the station and rejuvenate himself into the radio business with his AM station, KCCT, which was also included in our lease agreement. This happened around Nov of 2012 when he came in and told me he was thinking about leasing to Scott Holt. I strongly requested he not do that because of his former association with me, he seemed to agree with me and didn't lease to Scott Holt. However, he ended up hiring Easton Santos as his Program Director, which I objected to.

During the past few months I started hearing from my sales force and customers that Easton Santos was spreading the word that they were taking over 94.7FM. This caused my customers great concern and cost me lots of lost advertising income. Who knows how much income we lost?

To date we have lost ¼ of our income. The rumors never stopped. I went to the owner of the tower, Mr. Davila, and told him on numerous occasions to put a stop to the rumors that it was costing me sales and confusing my customers. I sent Mr. Davila an email notifying him that Easton Santos was causing my company direct loss of income. Suddenly, he notified me a few days later that Easton Santos had resigned from his company, but this never seemed to have happened as Easton Santos continued to advise, and work for Mr. Davila. As a matter of fact, he is now the Program and Music Director at KBSO under the direct supervision of Manuel Davila.

During the last month the rumors of the takeover increased to the degree that all my customers and employees including myself felt there was definite merit to the rumors. The tower owner became very demanding in the last month to catch up on the lease. I worked my tail off to make it happen. Let me be very clear, we have always been behind on our lease payment. We had to climb a mountain from day one. And he has always cooperated with us until this last couple of months. It became obvious to me that this has been a planned take over with the tower owner, his employee, my partner and all their con artist friends.

I agreed to meet with the tower owner with the money I owed him and to get current but, I wanted a new contract for us to continue working together especially after having clients pull their ads, others delaying advertising and major rumors of Santos taking the frequency back.

On Thursday May 30th 2013 the rumors were so ramped that one of our most trusted clients said Easton Santos came in and said that they are taking over at Midnight as a country station of their own. This is when I had to protect our proprietary information and winning radio formulas so I went to the station and cleared out the computers that were mine. I left some of my equipment behind and left a stream of music playing that identified the station as we always have, so that listeners couldn't tell anything was different.

I also texted, called, emailed Mr. Davila to ask him what was going on and to confirm our meeting he never responded. The meeting was set for the next day May 31st 2013 at 1pm. The same place as always for lunch. The tower owner, Mr. Manuel Davila, never showed up for the meeting. I e-mailed him and text him and his wife that I was waiting with the money and the contract. He never showed.

We have built Badlands up from the cellar to mountain tops. We have a tremendous following, and we even caught the attention of national agencies. We are doing really well. Now we will lose these national accounts because we lost the tower KBSO.

This take over not only has taken off our brand that I have spent hundreds of thousands of dollars in marketing and developing, but our format was replaced by the same format, COUNTRY Radio as we have been listed and marketed. It has taken us 3 years to get clients on like Oreo Cookies, Trident Gum, Ritz Crackers and many others using our talent with full endorsements, contracts and sales orders and live remotes. To be taken over by the same people who failed this company and Mr. Davila in the first place. This is a direct planned takeover to not only damage my company, my current employees & clients but taking on the same format is also their attempt to literally steal our business that we have developed for the past 3 years. KBSO will be the benefactor of our hard work. This was a total plan to damage me and Badlands. To take over the station which has had its best 2 months (the last 2) in the past 5 years and has annual contracts signed and in place and on air with the same format (Country) is a direct conflict of interest in so many ways.

I never wanted to stop leasing 94-7 KBSO and always maintained that with Mr. Davila. He has been fine with slow payments as long as they have been made. But once Mr. Davila hired Easton Santos as his Program Director the corruption began. What they have done is an attempt to steal the momentum, listeners, and revenue I have spent hundreds of thousands of dollars to develop.

Since Mr. Davila started coming into the building around January, he realized how successful and how well we were building as a country.

I am filing a lawsuit against Manuel Davila and asking for an immediate and temporary injunction to stop this station from broadcasting on 94.7 or at the very least, force them to change their format away from COUNTRY of any form until a proper court date and hearing can be set up. I'm confident that when a proper court hearing is in place I will be able to present witnesses including listeners, clients who Easton Santos (their now program director) were telling that he Lerma and Davila were taking over KBSO at that time. I will also present all the damages I'm incurring daily.

I would like the FCC to further investigate these matters of unfair business practices and I truly believe he is not worthy of owning an FCC signal.