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July 1, 2019

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Accepted / Filed

JUL - 1 2019

Federal Communications Commission
Office of the Secretary

Re: Station KWAI(AM)
Honolulu, HI
Facility No. 54613
File No. BTC-20180820AAI

Dear Ms. Dortch:

Transmitted herewith is a request for dismissal of the pending Petition for Reconsideration filed with regard to the above-referenced application, filed via email on behalf of Barry Wagenvoord on June 21, 2019, along with a copy of the signed Settlement Agreement executed by the principals of Radio Hawaii, Inc. concerning an ownership dispute.

Very truly yours,


Dan J. Alpert

*Counsel for Wagenvoord Advertising Group,
Inc.*

Cc: Lee Peltzman, Esq.

Archived: Monday, July 01, 2019 5:14:10 PM
From: Lee Peltzman
Sent: Friday, June 21, 2019 12:30:47 PM
To: Michael.Wagner@fcc.gov
Cc: Tom Hutton; Dan J. Alpert (dja@commlaw.tv)
Subject: FW: Settlement
Importance: Normal
Attachments:
WGNVRD (Signed) Settlement Agreement 6-18-19.pdf

Mr. Wagner, This will notify the FCC that the parties have executed the attached Settlement Agreement in the Court case, Wagenvoord Advertising Group, Inc. and Lola Wagenvoord v. Barry Wagenvoord, Sam Wagenvoord, Media Centre LLC and Radio Hawaii, Inc., Civil No. 16-1-1 732-06, Honolulu, Hawaii. Therefore, on behalf of Barry Wagenvoord, we hereby request that the FCC dismiss the pending October 16, 2018 Petition for Reconsideration (filed by Barry Wagenvoord) of the FCC grant of the Application for Transfer of Control of Radio Hawaii, Inc., licensee of Station KWAI(AM), Honolulu, HI (BTC-20180820AAJ).. Lee Peltzman

SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT ("Settlement Agreement") is executed this 18 day of June, 2019 by and between BARRY WAGENVOORD ("BARRY"); SAM WAGENVOORD ("SAM"); MEDIA CENTRE LLC ("MEDIA"); RADIO HAWAII, INC., and LOLA WAGENVOORD and WAGENVOORD ADVERTISING GROUP, INC. ("WAGI").

1. Defendant parties shall transfer all shares in Radio Hawaii, Inc. to successor WAGI no later than 90 days after the entry of the Amended Order Granting Plaintiff's Motion to Enforce Settlement Agreement in Wagenvoord Advertising Group v. Barry Wagenvoord, Sam Wagenvoord, Media Center LLC and Radio Hawaii Inc., Civil No. 16-1-1732-06.

2. Sam and Barry Wagenvoord agree to transfer of all shares in Radio Hawaii, Inc. to Wagenvoord Advertising Group and/or its designee;

3. Sam and Barry Wagenvoord agree to cooperate in the transfer of shares and execute any and all documents necessary to effect the aforementioned transfer;

4. Sam and Barry Wagenvoord agree to be personally liable for any and all Liabilities of Radio Hawaii, Inc. *up to the date and prior* to the aforementioned transfer of shares;


5. Lola Wagenvoord agrees to be personally liable for any and all liabilities of Radio Hawaii, Inc. incurred *after* the date of the aforementioned transfer of shares;


6. Except for those covenants of paragraph 4 above, Defendant parties Sam and Barry Wagenvoord, Wagenvoord Advertising Group, Inc. and Plaintiff party Lola Wagenvoord, individually and as shareholders and derivatively on behalf of Radio Hawaii, Inc. agree to release each other from any and all obligations or liabilities beyond those agreed to herein.

7. The Kidani Law Center Letter dated May 13, 2019 to Hayden F. Burgess aka
Poka Laenui is hereby incorporated into this Settlement Agreement.


BARRY WAGENVOORD, Individual and
with respect to MEDIA CENTRE LLC.



SAM WAGENVOORD


WAGENVOORD ADVERTISING GROUP,
INC., individually as Shareholder and
derivatively on behalf of RADIO HAWAII,
INC.



BARRY WAGENVOORD, with respect to
RADIO HAWAII, INC.



LOLA WAGENVOORD


SAM WAGENVOORD with respect to
RADIO HAWAII, INC.


WAGENVOORD ADVERTISING GROUP,
INC., individually as Shareholder and in
respect to RADIO HAWAII, INC.

APPROVED AS TO FORM:

By: 
HAYDEN F. BURGESS
Attorney for BARRY WAGENVOORD;
SAM WAGENVOORD;
MEDIA CENTRE LLC; RADIO HAWAII,
INC.

By: 
GRANT K. KIDANI
Attorney for WAGENVOORD
ADVERTISING GROUP, INC., Individually
as Shareholder and derivatively on behalf of
RADIO HAWAII, INC.