

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  
Network Affiliated Stations Alliance, ABC Television Affiliates Association, 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 & 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

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

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Argued February 11, 2004

Before: SCIRICA, Chief Judge, AMBRO and FUENTES, Circuit Judges

**PARTIAL JUDGMENT**

This cause came on to be heard on the record from the Federal Communications Commission and was argued on February 11, 2004.

On consideration whereof, IT IS ORDERED AND ADJUDGED by this Court that the Commission's Order of July 2, 2003 is hereby affirmed in part and remanded in part. The stay currently in effect will continue pending our review of the Commission's action on remand, over which this panel retains jurisdiction. All of the above in accordance with the opinion of this Court. The parties to bear their own costs.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

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Dated: June 24, 2004