

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Richard Mann d/b/a	)	File No.: EB-06-SE-388
The Antique Radio Collector	)	Acct. No.: 200732100016
Toledo, Ohio	)	FRN: 0016215626
	)	

**ORDER**

**Adopted: May 11, 2012**

**Released: May 11, 2012**

By the Chief, Spectrum Enforcement Division, Enforcement Bureau:

1. On November 27, 2007, the Spectrum Enforcement Division (Division) of the Enforcement Bureau (Bureau) issued a Forfeiture Order against Richard Mann d/b/a The Antique Radio Collector (Mr. Mann), assessing a forfeiture in the amount of \$7,000 for the willful and repeated violation of Section 302(b) of the Communications Act of 1934, as amended (Act),<sup>1</sup> and Section 2.803(a)(1) of the Commission's rules (Rules)<sup>2</sup> in connection with the marketing in the United States of uncertified AM radio transmitters assembled from kits.<sup>3</sup> On December 27, 2007, Mr. Mann filed an Appeal of Forfeiture Order<sup>4</sup> in which he sought cancellation or reduction of the forfeiture. On April 30, 2008, the Bureau released the Reconsideration Order,<sup>5</sup> which affirmed the Forfeiture Order and denied Mr. Mann's Petition for Reconsideration. On June 2, 2008, Mr. Mann sought review of the Reconsideration Order.<sup>6</sup> Mr. Mann subsequently submitted a supplement to the Bureau for the purpose of demonstrating his inability to pay the forfeiture.

2. On April 13, 2012, the Division released an Order and Consent Decree settling this enforcement proceeding.<sup>7</sup> Consistent with the terms of the Consent Decree, Mr. Mann has now filed a

<sup>1</sup> 47 U.S.C. § 302a(b).

<sup>2</sup> 47 C.F.R. § 2.803(a)(1).

<sup>3</sup> *Richard Mann d/b/a The Antique Radio Collector*, Forfeiture Order, 22 FCC Rcd 20516 (Enf. Bur., Spectrum Enf. Div. 2007) (Forfeiture Order).

<sup>4</sup> Appeal of Forfeiture Order, filed by Richard Mann d/b/a The Antique Radio Collector (Dec. 27, 2007) (Petition for Reconsideration). Pursuant to Section 1.115(c) of the Rules, 47 C.F.R. § 1.115(c), this pleading was treated as a Petition for Reconsideration in order to allow the Bureau the opportunity to consider novel issues of law and fact not previously raised by Mr. Mann. See *Richard Mann d/b/a The Antique Radio Collector*, Order and Consent Decree, DA 12-574, 2012 WL 1243856 at \*2 n.13 (Enf. Bur., Spectrum Enf. Div. April 13, 2012) (Order and Consent Decree).

<sup>5</sup> *Richard Mann d/b/a The Antique Radio Collector*, Memorandum Opinion and Order, 23 FCC Rcd 6920 (Enf. Bur. 2008) (Reconsideration Order).

<sup>6</sup> See Application for Review of Reconsideration Order, filed by Richard Mann d/b/a The Antique Radio Collector (June 2, 2008).

<sup>7</sup> See Order and Consent Decree.

motion with the Bureau seeking to withdraw the pending Application for Review.<sup>8</sup> We hereby grant Mr. Mann's request.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 4(i) of the Act,<sup>9</sup> and Sections 0.111 and 0.311 of the Rules,<sup>10</sup> Mr. Mann's Motion to Withdraw **IS GRANTED**.

4. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by first class mail and certified mail, return receipt requested, to Richard Mann d/b/a The Antique Radio Collector, 4231 Willys Parkway, Toledo, OH 43612.

**FEDERAL COMMUNICATIONS COMMISSION**

John D. Poutasse  
Chief  
Spectrum Enforcement Division  
Enforcement Bureau

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<sup>8</sup> See Letter from Richard R. Mann to Federal Communication [sic] [Commission] (Apr. 14, 2012) (Motion to Withdraw).

<sup>9</sup> 47 U.S.C. § 154(i).

<sup>10</sup> 47 C.F.R. §§ 0.111, 0.311.