

26. *It is further ordered* that, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), in order to avail itself of the opportunity to be heard, GSN and Cablevision, in person or by their attorneys, *shall each file* with the Commission, by May 29, 2012, a written appearance stating that it will appear on the date fixed for hearing and present evidence on the issues specified herein, provided that, if both parties elect ADR, each party shall file such written appearance within five calendar days after notifying the Chief, Enforcement Bureau and Chief ALJ that it has failed to settle the dispute through ADR.¹⁹

27. *It is further ordered* that, if GSN fails to file a written appearance by the deadline specified above, or fails to file prior to the deadline either a petition to dismiss the above-captioned proceeding without prejudice, or a petition to accept, for good cause shown, a written appearance beyond such deadline, the Administrative Law Judge *shall dismiss* the above-captioned program carriage complaint with prejudice for failure to prosecute and *shall terminate* this proceeding.

28. *It is further ordered* that, if Cablevision fails to file a written appearance by the deadline specified above, or fails to file prior to the deadline a petition to accept, for good cause shown, a written appearance beyond such deadline, its opportunity to present evidence at hearing will be deemed to have been waived. If the hearing is so waived, the Presiding Judge expeditiously *shall terminate* this hearing proceeding and certify to the Commission the above-captioned program carriage complaint for resolution based on the existing record.

29. *It is further ordered* that in addition to the resolution of issues (a) and (b) in paragraph 39 above, the

¹⁹In the *2011 Program Carriage Order*, the Commission adopted a specific deadline for filing written appearances in a program carriage complaint proceeding referred to an ALJ for an initial decision. See *2011 Program Carriage Order*, 26 FCC Rcd at 11510–11, para. 22; see also 47 CFR 1.221(h)(1). This rule does not apply to this complaint. Thus, the general rule in § 1.221(c) applies. See 47 CFR 1.221(c). In light of the expedited basis of this hearing proceeding, the deadline for filing written appearances set forth in § 1.221(c) of the Commission's Rules, 47 CFR 1.221(c), is waived and replaced with the deadlines set forth above. In addition, § 1.221(f) of the Commission's Rules, 47 CFR 1.221(f), provides that a "fee must accompany each written appearance filed with the Commission in certain cases designated for hearing." However, neither the Act nor our rules specify a fee for hearings involving program carriage complaints. See 47 CFR 1.1104; see also 47 U.S.C. 158. Accordingly, neither GSN nor Cablevision is required to pay a fee in connection with the filing of their respective appearances in this proceeding.

Presiding Judge shall also determine, pursuant to section 503(b) of the Communications Act of 1934, as amended, whether an Order for Forfeiture shall be issued against Cablevision for each willful and/or repeated violation, except that the amount issued for any continuing violation shall not exceed the amount specified in section 503(b)(2)(A), 47 U.S.C. 503(b)(2)(A), for any single act or failure to act.

30. *It is further ordered* that for the purposes of issuing a forfeiture, this document constitutes notice, as required by section 503 of the Communications Act of 1934, as amended, 47 U.S.C. 503.

31. *It is further ordered* that a copy of this *order* shall be sent by Certified Mail—Return Receipt Requested and regular first class mail to (i) Game Show Network, LLC, 2150 Colorado Avenue, Santa Monica, CA 90404, with a copy (including a copy via email) to Stephen A. Weiswasser, Esq., Covington and Burling LLP, 1201 Pennsylvania Avenue NW., Washington, DC 20004–2401 (sweiswasser@cov.com); and (ii) Cablevision Systems Corporation, 1111 Stewart Avenue, Bethpage, NY 11714, with a copy (including a copy via email) to Howard J. Symons, Esq., Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., 701 Pennsylvania Avenue NW., Suite 900, Washington, DC 20004 (HJSymons@mintz.com).

32. *It is further ordered* that the Chief, Enforcement Bureau, is made a party to this proceeding without the need to file a written appearance, and she shall have the authority to determine the extent of her participation therein.

33. *It is further ordered* that a copy of this *order* or a summary thereof *shall be published* in the **Federal Register**.

34. This action is taken pursuant to authority delegated by §§ 0.61 and 0.283 of the Commission's Rules, 47 CFR 0.61, 0.283.

Federal Communications Commission.

William T. Lake,

Chief, Media Bureau.

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FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors

that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than June 4, 2012.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *Elizabeth A. Murphy, individually, and the Elizabeth A. Murphy 2011 Irrevocable Trust*, both of Omaha, Nebraska; to acquire control of Ameriwest Corporation, and thereby indirectly acquire control of First Westroads Bank, Inc., both in Omaha, Nebraska.

Board of Governors of the Federal Reserve System, May 15, 2012.

Margaret McCloskey Shanks,

Associate Secretary of the Board.

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FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise