

**District of Columbia
Court of Appeals**

No. 04-CV-1329

TELEVISION CAPITAL
CORPORATION,

Appellant,

CA1131-02

v.

PAXSON COMMUNICATIONS
CORPORATION, ET AL.,

Appellees.

BEFORE: Washington, Chief Judge; *Farrell, Ruiz, Reid, Glickman, Kramer and
*Fisher, Associate Judges; *Pryor, Senior Judge.

O R D E R
(Filed July 5, 2006)

On consideration of appellant's petition for rehearing or rehearing en banc, it is

ORDERED that the petition for rehearing is granted to the extent that the court's
opinion filed March 16, 2006, is amended as follows:

On page 17, after the last sentence, add footnote 9 which shall read:

⁹TCCM's assertion that it raised the issue of set-off as
an affirmative defense does not require us to alter the trial court's
determination that the matter was unripe for consideration.

It is FURTHER ORDERED that the petition for rehearing is otherwise denied; and
it appearing that no judge of this court has called for a vote on the petition for rehearing
en banc, it is

FURTHER ORDERED that the petition for rehearing en banc is denied.

PER CURIAM