

Caller No. 10 Receives 120 Days in Jail

By Reg P. Wydeven
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Louder than a locomotive. More annoying than fingernails on a chalkboard. Able to play aimless audio bytes or sound effects with the touch of a single button. Look in the minivan with the flashing orange lights – it's a DJ.

Radio disc jockeys – they can be corny and obnoxious, but that's why we love them. They play our requests, make crank calls, and give us free tickets to see Cheap Trick or some other washed-up band. DJs are also famous for playing pranks, and a few DJs that held practical joke contests are now finding themselves in hot water.

Radio station KBDS in Los Angeles held a weeklong contest to win two brand new Hummer H2s. Listeners were instructed to track the number of miles the two H2s traveled around the city, and the first two listeners that correctly identified the number of miles won the SUVs.

Shannon Castillo was one of those listeners. She hired a baby sitter to watch her two children so she could arrive at the station at 6 a.m. on the day of the giveaway – April 1. After waiting two hours, a DJ arrived and presented her and another listener with radio-controlled toy Hummer H2s. Apparently not amused, Castillo sued the station for \$60,000 – the cost of a new, regulation-sized H2. Although the station explained the contest was an April Fool's Day prank, Castillo responded, "I just couldn't believe that they would actually humiliate someone like that."

Meanwhile in Lexington, Norreasha Gill sued Cumulus Media, the company that owns radio station WLTO-FM after she won a candy bar instead of cash. The Kentucky radio station's night host DJ Slick sponsored the station's contest to "win 100 grand". After listening to the radio show for several hours, Gill won by being the 10th caller at a specified time.

When she went to the station the next morning to retrieve her prize, the station manager informed her that she won a Nestle's 100 Grand chocolate bar, not \$100,000. Gill decided to sue after she promised her 1-, 5- and 11-year-old children that with her winnings she was going to give them a minivan, a shopping spree, a savings account and a home with a back yard.

Sounding a lot like Castillo, Gill told the Lexington Herald-Leader, "What hurts me is they were going to get me in front of my children, all dressed up, and hand me a candy bar, after all those promises I made to them. You just don't do that to people."

In 2002, a former waitress in Florida agreed to settle her lawsuit against Hooters after she won a contest for a new 'Toyota', when, in fact, she only won a 'toy Yoda', a stuffed version of the famous *Star Wars* character.

Even if these contest winners don't prevail in their lawsuits, it's a sure bet that the Federal Communications Commission will be investigating the incidents. The FCC is the branch of the federal government that licenses and governs radio stations. The FCC has regulations for radio contests that forbid descriptions of contests to be false or deceptive and that the contests must be conducted by the radio stations as advertised.

The FCC has fined radio stations in two states for hosting contests that promised listeners cash prizes, only the winners received their awards in the Italian or Turkish lira, not the U.S. dollar.

Maybe the FCC should give these DJs a taste of their own medicine and tell them that because of these deceptive contests, the FCC will be moving the DJs to the Big House.

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