

FCBA News

MAY 2004

Newsletter of the Federal Communications Bar Association

FCBA to Host Reception Marking the 70th Anniversary of the Communications Act

The FCBA is pleased to announce a reception to commemorate the 70th Anniversary of the Communications Act of 1934 to be held from 6:00 - 8:00 p.m. on **Thursday, June 3, 2004**, at the Washington Hilton & Towers, 1919 Connecticut Avenue, NW, Washington, D.C.

The FCBA is inviting all former and current FCC commissioners to attend as its special guests. We expect a good turnout of the Bar for this event, which will be held outside, weather permitting. The reception will provide an opportunity to greet old friends and to visit with current FCBA members. Sponsorships at the Gold and Silver Levels are available for \$500.00 and \$250.00 respectively. See registration form on page 10. If you have any questions, please contact Stan Zenor at the FCBA office: 202-293-4000.

Thank you to our 70th Anniversary Reception Sponsors as of April 23, 2004!

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If you are interested in being a sponsor you can use the form on page 10, or contact Yaron Dori ydori@hhlaw.com for more information.

Tinker, Tailor, Lawyer and More – May 10

Tinker, Tailor, Lawyer and More — Finding time for the many roles we play in and away from the office. Sponsored by the **Federal Communications Bar Association**, the **Women's Bar Association** and **Women in Cable & Telecommunication**. A panel discussion followed by a reception will be held on **Monday, May 10, 2004, 6:30 – 8:00 p.m., at Hogan and Hartson, LLP, 555 Thirteenth Street, NW, Washington, D.C.** The cost is \$20 for members and \$30 for non-members. Come and hear from a group of dynamic communications professionals as they talk about the many roles they play, not only in the office and home but also in the other areas that help define who they are and bring depth and meaning to their lives - from athletics, elder care providers, political and community activists, volunteers, and more. **Please use the form on page 9 to register. If you have any questions, please contact Heidi Kurtz in the FCBA office.**

MODERATOR:

Susan Ness - Former FCC Commissioner - Principal, Susan Ness Strategies

PANELISTS:

Mary Beth Richards - Special Counsel to the Chairman, FCC
Susan L. Fox - Vice President, Government Relations, The Walt Disney Company
Scott Harris - Partner, Harris Wiltshire & Grannis LLP
Julia Johnson - Chair, FCC's Federal Advisory Committee on Diversity for Communications in the Digital Age
Rick Whitt - Senior Director, Global Policy & Planning, MCI
Jennifer Tatel - Associate, Sidley Austin Brown & Wood

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www.fcba.org

PRESIDENT'S MESSAGE

DEAR MEMBERS:

As my year as FCBA President begins to draw to a close, I am struck by two things: the range and diversity of activities that the Association offers to its members each year, and the range and diversity of the FCBA members who so willingly volunteer their time and effort to make those activities the best that they can be.

All of us in elected FCBA positions have heard from time to time that the Association can feel like an "insiders' group" that could do more to make "outsiders" feel welcome. It's certainly true that some FCBA members are so dedicated that they contribute substantial resources to, and attend, any number of Association events over the course of a year. I believe, though, that - very active or not - we all should do what we can to promote "diversity," in the broadest sense of the word, throughout the FCBA's affairs.

In fact, the FCBA's governing documents charge us with being an inclusive, not exclusive, organization. One of the FCBA's four stated purposes, set forth in Article II of the FCBA's Constitution, is "to promote . . . equality of opportunity in the profession of law." The FCBA's By-Laws require the Nominations Committee (which nominates candidates for the Association's elective offices) "to endeavor to ensure that its selections reasonably reflect the diversity of the Association membership."

As I remarked several months ago, the Nominations Committee has done a terrific job of putting together a slate of candidates to stand for this year's election. But in making its selections, the Committee not only paid attention to the qualifications of each individual candidate; it also endeavored to ensure that the slate as a whole reflects the many different aspects of our membership. Younger lawyers who have proven themselves ready for a more challenging leadership position are represented on the ballot, as are more senior members of the bar who can contribute the experience and judgment they have gained over the years. Professionals from many different practice areas - from wireless to broadcasting - have also been selected. In-house counsel are running for elected positions; so are private practitioners, government officials and trade association employees. And, the slate reflects a genuine mix of gender and racial diversity.

I know from personal experience that the FCBA President makes a similar effort each year to enlist a wide range of FCBA members to serve as chapter and committee co-chairs. Those co-chairs, in turn, are asked to reach out to their committee members when planning events and activities, and to include a diverse group of speakers and panelists when putting together CLE and other seminars. The FCBA also has a very active Diversity Committee, this year very ably chaired by Edgar Class, Monica Desai and Joy Ragsdale, that sponsors programs such as Career Night, a mentoring program, a law school outreach program and a corporate brown bag luncheon series - all designed to help welcome new and diverse members into our association in particular, and the field of communications law in general.

Through these collective efforts, we are striving to be an organization that appreciates the contributions of members of all backgrounds and experiences. From where I sit, your active participation in FCBA events and activities is most welcome!

Alexandra M. Wilson



FCBA

FEDERAL COMMUNICATIONS
BAR ASSOCIATION

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Editor - Heidi M. Kurtz
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Password as of May 10, 2004: 482

MULTIJURISDICTIONAL PRACTICE DEVELOPMENTS

California

The California Supreme Court has adopted new rules governing practice of law on a temporary basis within that state by attorneys from other jurisdictions. That Court was the author of the 1998 decision in *Birbrower v. Superior Court*, which led to the American Bar Association amending its Model Rules of Professional Conduct to address multijurisdictional practice. In respects significant to communications attorneys, and less favorable to them and their clients than the ABA's Model Rules, the California Court declined to follow the ABA recommendations.

The new California Rules permit a lawyer not licensed in California to provide legal services within the state in a transactional matter only where "a material aspect" of the transaction "is taking place in a jurisdiction other than California and in which the attorney is licensed." The FCBA had filed comments in the California rulemaking proceeding last year urging the Court to adopt the language of the ABA Model Rule, which would allow such services in any matter "that arises out of or is reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is licensed." The FCBA also pointed out that the ABA language is "the functional equivalent" of language in the current edition of the American Law Institute Restatement of the Law Governing Lawyers." The Court did not accept the FCBA's suggestion.

The new California Rules seem to prohibit lawyers who are not licensed in California from providing legal advice or assistance in California in many circumstances where members of the FCBA routinely provide assistance. Indeed, the new California rules appear to preclude lawyers not licensed in California from advising clients while in that state even on issues "of federal law or of the law of a jurisdiction other than California," except for permitting lawyers from other jurisdictions to advise and assist "attorneys licensed to practice law in California" on such matters. The FCBA

had urged the Court to remove this prohibition on direct legal advice and assistance to clients. The ABA Model Rules do not contain a similar restriction.

The ABA Model Rules, like rules in most states and the District of Columbia, say that a lawyer "shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction." Given the rules adopted by California, that provision can now be read as prohibiting lawyers throughout the nation from providing legal advice in California on federal law unless either licensed in California or acting through an intermediary lawyer who is so licensed. Lawyers who do so might be subject to disciplinary action both in California and in the jurisdiction in which they are admitted.

The California Supreme Court did adopt in part an FCBA suggestion that it revise a proposed requirement that out-of-state lawyers note on any website or advertisement available in California that the lawyer is not licensed in California before rendering legal services within the state. It added language that would allow attorneys to indicate on such websites or advertisements that they are admitted "only" in states they list. This provision

could require the firms of FCBA members to modify their websites to clarify the jurisdictions in which each of their attorneys is admitted.

The Court declined to adopt another suggestion by the FCBA that it permit lawyers to comply with the notice requirement by simply communicating directly to clients or prospective clients who require their services in California that they are not members of the California State Bar.

The new California rules become effective on November 15, 2004. The rules are much more detailed and comprehensive than the discussion in this article. They are available in full on the Court's website, <http://www.courtinfo.ca.gov/courts/supreme/comm>. A release that accompanied the announcement of the new rules can be found at <http://www.courtinfo.ca.gov/presscenter/newsreleases/NR19-04.htm>. The FCBA's 2003 comments are available at <http://www.fcba.org/CalMJPCComments.doc>. FCBA members who are not admitted to practice in California but who have clients or prospective clients in California should review these new rules carefully before meeting with those clients in California.

CONTINUED ON PAGE 4

Annual Seminar Sponsors

The FCBA would like to acknowledge the following Annual Seminar Sponsors:

GOLD

Cellular Telecommunications & Internet Association
Cingular Wireless
Cox Enterprises, Inc.
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News Corporation
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Skadden Arps Slate Meagher & Flom, LLP
Southern Linc

MULTIJURISDICTIONAL PRACTICE DEVELOPMENTS

CONTINUED FROM PAGE 3

Other States

A table published by the ABA indicates in synopsis form the status of regulation of multijurisdictional practice in each of the fifty states and the District of Columbia. It is continually updated, and is available in its most recent form on the ABA website at http://www.abanet.org/cpr/jclr/jclr_home.html. Scroll down and click on [State Implementation of ABA MJP Recommendations]. The table also provides links to more detailed information on specific states that is available on state bar and court websites.

The table shows that six states have adopted new rules for multijurisdictional practice that are identical or similar to the ABA Model Rule. In fifteen other states, proposals are pending for such rules from the state bar associations or from study committees formed by the highest courts. In one state, Connecticut, the state bar has rejected the ABA Model Rule without adopting or recommending the adoption of any alternative rule. In all other states, committees have been

formed to study the ABA multijurisdictional practice recommendations. Three of those committees have sent to their state bars, or published for comment, recommendations substantially in line with the ABA recommendations. See also an article in the January 2004 *ABA Journal* titled "MJP Picks Up Steam."

District of Columbia

In the District of Columbia, a "Special Committee on Multijurisdictional Practice" was appointed by the President of the Bar in November 2001. In February 2004, that committee sent an Interim Report to the Bar's Board of Governors.

The report concluded that the Rule of the D.C. Court of Appeals governing unauthorized practice of law in the District is substantially consistent with the ABA multijurisdictional practice model rule. It expressed concern, though, about the impact on the attorney-disciplinary practice in the District of adoption of a companion rule in the ABA

Model Rules that would make out-of-state attorneys subject, not only to discipline in their own jurisdictions, but also to the disciplinary authority of the host jurisdiction as to conduct in that jurisdiction. That provision, the Committee said, "has no equivalent in the District of Columbia rules."

Thus, the District of Columbia cannot discipline non-members of the D.C. Bar who are charged with infractions while rendering legal services within the District. It can only refer complaints to the disciplinary authority in the state where the attorney is licensed.

The Committee concluded that, except in limited circumstances, lawyers licensed only in other jurisdictions who engage in multijurisdictional practice within the District *should* be subject to the disciplinary authority of the District, provided the "predominant effect" of the lawyer's conduct is in the District. It recommended that the Board of Governors refer to the Bar's existing "Disciplinary System Study Committee" evaluation of how implementation of the recommended extension of disciplinary authority to lawyers not members of the D.C. Bar "would affect the operation and costs of administration of the disciplinary system and of certain regulatory programs of the D.C. Bar." These latter include the Clients' Security Fund and the Attorney/Client Arbitration Board. In April, the Board of Governors made the referral requested by the MJP Committee to the Disciplinary System Study Committee.

The MJP Committee expressed a hope that the Board of Governors would find the cost of extending D.C. disciplinary authority not prohibitive, and in any event outweighed by the benefits that would be achieved. It also suggested that, if the Board could not reach the Committee's hoped-for conclusion, it consider ways in which the costs could be reduced to permit the extension.

Prepared by S. White Rhyne

2004 FCBA Election

Election materials are being mailed to all voting members during the first week in May for the election of FCBA Officers, members of the Executive Committee, members of the Nominations Committee, and for Foundation Trustees. Foreign, student, retired, and non-attorney members are not eligible to vote as per the Association's Constitution and Bylaws. Ballots must be received no later than June 15, 2004 to count in the election. The results of the election will be announced at the Association's Annual Meeting and Luncheon on June 24, 2004.

Notice of Proposed Amendments to the FCBA Constitution

Enclosed in the mailing with the 2004 election materials will be notice from the FCBA Secretary, pursuant to Article IX of the FCBA Constitution, of proposed amendments to the FCBA Constitution. These proposed amendments have been approved and are recommended by the Executive Committee. The June FCBA newsletter will have an informational article outlining the rationale for the recommended changes. The proposed changes will be voted on at the Annual Meeting and Luncheon on June 24, 2004.

COMMITTEE AND CHAPTER EVENTS

Joint Cable Practice Committee & Legislative Committee

Event: Brown Bag Lunch
Date/Time: Tuesday, May 11, 12:15 p.m.
Location: Willkie Farr & Gallagher LLC, 1875 K Street, N.W., Second Floor (off Lobby)
Speakers: Neil Fried, Majority Counsel for House Commerce Subcommittee on Telecommunications and the Internet, and Gregg Rothschild, Minority Counsel for House Commerce Committee
Cost: No cost (bring your own brown bag lunch)
For more information: Catherine Bohigian, catherine.bohigian@fcc.gov
RSVP to: Wendy Parish, wendy@fcba.org

International Telecommunications Committee

Event: Joint event with the DC Bar
Date/Time: Thursday, May 13, 2004, 12:15 p.m. - 1:30 p.m.
Location: D.C. Bar Conference Center, B-1 Level, 1250 H Street NW (Metro Center)
Speakers: Jonathan McHale, Director for Telecommunications Policy, Office of the U.S. Trade Representative, Kenneth Schagrin, Director for Telecommunications Policy, Office of the U.S. Trade Representative, Claire Blue, Special Counsel, Policy Division, International Bureau, FCC, Laura B. Sherman, President, Argus International LLC Moderators: Troy Tanner, Swidler Berlin Shereff Friedman LLP, Lisa Choi, Policy Division, International Bureau, FCC; CTL Steering Committee
Topic: With Cancun behind us, where do current World Trade Organization talks on telecommunications services stand? What progress is occurring with respect to the numerous free trade agreements? How will commitments affect telecom regulation? In this off-the-record brown bag, individuals from the public and private sector will discuss the status of current trade issues in telecommunications services.
Cost: \$10.00 Co-sponsoring Section Members and Subscribers; FCBA Members Section; \$20.00 Non-Section Members; \$10.00 Government and Nonprofit Employees
RSVP to: http://www.fcba.org/5_13BrownBag.doc or Sections Office at 202-626-3463 or e-mail sections@dcbar.org

Midwest Chapter

Event: May 14 Luncheon with Commissioner Abernathy
(See page 6 and register on page 9)

Online Communications Committee

Event: Brown Bag Lunch
Date/Time: Monday, May 17, 12:15 p.m.
Location: Piper Rudnick, 1200 19th St., NW, Suite 700
Speaker: Hillary Brill, Office of Congressman Rick Boucher and other speaker TBA
RSVP to: Evelyn Opany, 202-689-7163

Pacific Northwest Chapter

Event: Luncheon
Date/Time: Friday, May 21, Noon to 1:00 p.m.
Location: Miller Nash, LLP, 55th Floor, Two Union Square, 601 Union Street Seattle Washington
Speaker: Bryan Tramont, Chief of Staff for FCC Chairman Michael Powell
Topic: Lighting up the Black Box: How the FCC Works (and occasionally doesn't)
Cost: \$30 for non-FCBA members and \$25 for FCBA members and governmental attendees. Lunch is included in that price.
Other Info: Approval for .5 hours of CLE credit will be sought from the Washington Bar. Space is limited.
RSVP to: see form on page 9.

Transactional Practice Committee

Event: Brown Bag Lunch with the DC Bar
Date/Time: Thursday, June 10, 12:15 - 2:30 p.m.
Location: DC Bar Conference Center, B-1 Level, 1250 H Street, NW
Speakers: Neil Dellar, Office of General Counsel's Transaction William Dever, Wireline Competition Bureau, William Freedman, Enforcement Bureau, Susan O'Connell, International Bureau Royce Sherlock, Media Bureau, Jeff Tobias, Wireless Competition Bureau
Topic: The Nuts and Bolts of Transfers of Control at the FCC - Senior FCC staff discuss how their Bureaus and Offices process applications for transfer of control.
Cost: \$10 for FCBA members
RSVP to: www.dcbar.org/for_lawyers/events
Questions: Call Laurie Sherman, 703-216-3150

Wireless Telecommunications Committee

Event: Luncheon
Date/Time: Friday, May 7, 12:15 p.m.
Location: Sidley, Austin, Brown & Wood, 1501 K Street, NW - 6th Floor
Topic: Hot topics for NTIA
Speakers: Michael D. Gallagher, Acting Assistant Secretary of Commerce for Communications and Information, and the new members of NTIA's senior management team, John Kneuer, Counselor to the Acting Assistant Secretary; Meredith Attwell, Senior Advisor; Joe Watson, Associate Administrator for Policy; and Tracey Rhoades, Special Assistant
Cost: \$15.00
RSVP to: See page 9.

Young Lawyers Committee

Event: Brown Bag Lunch
Date/Time: Friday, May 7, 12:15 p.m.
Location: Shaw Pittman LLP, 2300 N Street, NW, Conference Room
Topic: "The Role of In House Counsel" - Join the YLC for a discussion with attorneys from some of the nation's preeminent media and telecommunications companies. Our featured speakers will discuss their roles as in house counsel, including the type of regulatory and legislative work they do, and will identify the issues that are high on their companies' agendas.
Speakers: Susan Fox, Vice President - Government Relations, The Walt Disney Company; Phil Passanante, Managing Attorney, RCN Corporation; Doug Brandon, Vice President - Federal Affairs and Law, AT&T Wireless Services, Inc. Lon Levin, Vice President - Regulatory Affairs, XM Satellite Radio, Inc. to the list of speakers.
For more info: Chris Fedeli at cfedeli@covad.net or Tony Lin at tony.lin@shawpittman.com

Event: Happy Hour
Date/Time: Thursday May 20, 6:00-8:30 p.m.
Location: Ozio Restaurant and Lounge - 1813 M St., N.W. Near the Farragut West and Farragut North Metro stops. Phone Number: 202-822-6000
For more info: Jason Scism at 703-967-8585 or Pam Slipakoff at 202-418-7705 or Pam.Slipakoff@fcc.gov
Ozio has excellent \$4 flavored martinis and beer and rail specials during happy hour.

IN MEMORIAM

Louis Schwartz

Louis Schwartz, a founding partner in the firm of Schwartz, Woods & Miller, died on March 31st at the age of 85.

Louie earned his law degree from George Washington University and started practicing in 1947. He worked for several years at the NLRB, where he became a deputy general counsel supervising appellate cases.

In 1960 Louie left the NLRB with his colleague Bob Woods to practice communications law with Krieger & Jorgensen. In 1970 they formed what was then Schwartz & Woods. Louie helped start and represented throughout his career a number of broadcast groups, including Greater Media and various Neuhoff family and Walton family groups, as well as numerous individual radio and television stations. He was counsel to licensees in numerous comparative and renewal hearings.

Louie was also active in representing public broadcasters, serving with Bob Woods as general counsel to the National Association of Educational Broadcasters, and as counsel to the organization that is now American Public Television, as well as state networks and many individual licensees. He worked extensively with radio common carrier companies on paging and cellular matters. He became "of counsel" to the firm in 1991 and retired a few years later.

Louie is survived by Gloria Schwartz, his wife of 63 years, by his sons, Eric, Michael, and Joseph, and by eight grandchildren.

COMMITTEE AND CHAPTER NEWS

Midwest Chapter

FCC COMMISSIONER ABERNATHY TO SPEAK IN CHICAGO ON MAY 14

On Friday, May 14, 2004, FCC Commissioner **Kathleen Q. Abernathy** will be speaking at a luncheon hosted by the Midwest Chapter of the FCBA. The meeting will be held from Noon to 1:30 PM (CST) at the Palmer House Hotel in downtown Chicago. The price to attend is \$45.00 for FCBA members and \$60.00 for non-members. See form on page 9. Contact Scott Kellogg (scottekellogg@hotmail.com), Lisa Washburn (EWashburn@tribune.com) or Rob Neumann (robert.neumann@comcast.net) for more information.

Commissioner Abernathy was nominated and sworn in as a Commissioner in May 2001. As a commissioner, she is responsible for

representing the public interest in each of the policy areas under the FCC's jurisdiction, including regulation of broadcast television, cable, satellite, domestic and international communications, wireless telephony, consumer protection and general enforcement of FCC rules. Prior to her FCC appointment, Commissioner Abernathy was Vice President of Public Policy at BroadBand Office Communications, Inc. Before that, she was a partner at the law firm of Wilkinson Barker Knauer. Commissioner Abernathy's experience also includes serving as Vice President for Regulatory Affairs at U.S. West, Inc. and as Vice President for Federal Regulatory at AirTouch Communications, Inc. Commissioner Abernathy also held several positions at the FCC, including as Telecommunications Legal Advisor to FCC Chairman James H. Quello, Legal Advisor to Commissioner Sherrie P. Marshall, and Special Assistant to the FCC's General Counsel.

Volunteer at Legal Walk-in Clinic - May 8

The next Bread for the City Legal Walk In Clinic date is Saturday, May 8. Tell your friends! The FCBA's Young Lawyers Committee organizes volunteers to spend three hours once a quarter helping lower income individuals through a clinic sponsored by the DC Bar. We co-volunteer with the DOJ Antitrust Division. Attorneys receive a half-hour overview/orientation beginning at 9:30 am over bagels and juice. Volunteers are expected to assist clients only during the time they are at the clinic. No special legal knowledge is needed attorneys generally need to keep an eye out for potential legal issues while using their common sense to solve a myriad of questions and make referrals to other organizations. Experienced attorneys on-site will assist FCBA attorneys and other volunteers with any questions. Previous attendees have described this as "the most satisfying volunteer experience I've had as an attorney." You must either be a member of the DC Bar, have an application pending to the DC bar, or be an employee of the federal government to provide advice. Those who are not DC bar members, paralegals and law students are needed, however, to provide intake and triage. Law students can have the opportunity to sit in on advice sessions. Remember, dress is casual, but respectful. Bring a pen. The clinic is located at Bread for the City, 1525 7th St., NW Washington DC. Metro accessible on the Green line, Howard University Metro station, exit at 8th & R Streets. Please email Cheryl Leanza if you would like to participate: cleanza@mediaaccess.org. If you would like more information about the clinic, their web site is: <http://www.breadforthecity.org/>



8th Annual FCBA Foundation Golf Tournament Friday, June 18

Its time to mark your calendars for the 8th Annual FCBA Foundation Honorable Robert E. Lee Memorial Golf Tournament on Friday, June 18, 2004. The group will return to Bull Run Country Club in Haymarket, Virginia. The tournament shotgun start begins at 9:00 a.m., but the driving range opens at 7:00 a.m. and a continental breakfast is served at 7:45 a.m. Golfers will also receive lunch afterwards during the awards ceremony.

This will be the Foundation's third visit to the Bull Run, and the first time having it on a Friday. The tournament is an enjoyable day for a good cause - raising over \$25,000 for the FCBA Foundation's Scholarship Fund, which provides college funds for deserving District of Columbia high school graduates as well as stipends for unpaid Law School summer interns at government agencies.

The tournament is named in memory of former Federal Communications Commission (FCC) Chairman Robert E. Lee, who passed away in April 1993 after serving on the FCC for almost thirty years. Chairman Lee served as a Commissioner of the FCC for 28 years and was instrumental in the early development of color television, among other contributions to federal communications policy.

A registration form is on page 11. If you are interested in helping out with the tournament planning, or on the day of the event, contact Heidi Kurtz in the FCBA office.

15th Annual Charity Auction

The 15th Annual Charity Auction, sponsored by the FCBA Charity Auction Committee, comprised of members of the Young Lawyers Committee and the FCBA Foundation Board of Trustees, will be held on November 18, 2004 at the Hamilton Crowne Plaza's Almas Temple at 14th and K Streets. The Auction Committee is accepting applications from local charities to be considered as the recipient of the auction proceeds.

In order to be considered, the charity must meet the following criteria:

1. The charity fulfills the "core" needs of children.
2. The charity does not receive the majority of its funding from the government.
3. The charity does not discriminate.
4. The charity primarily serves those in the Washington, D.C. metropolitan area.
5. Our donation will make a difference in the charity's budget. The donation (based on the total raised at the prior year's Charity Auction) will be at more than 1% but not more than 25% of the charity's budget from the prior year.
6. The charity has not been the recipient of the FCBA Auction in 2002 or 2003.

To be considered, a charity must respond in writing describing how it meets the above-referenced criteria and should include other relevant information such as promotional materials describing its activities and a financial report from its prior year. Please send your response to Heidi Kurtz, FCBA Foundation, 1020 19th Street, NW, Suite 325, Washington, D.C. 20036, no later than **Friday, June 18, 2004.**

Martha's Table Volunteers Needed on May 30

On Sunday, May 30, members of the FCBA will help prepare meals for the homeless at Martha's Table in the District of Columbia. Martha's Table feeds hundreds of hungry, homeless adults and children on the streets of Washington daily, through its mobile soup kitchen. Children and friends are also welcome. We will begin at 10:00 am and work until 1:00 pm. Martha's Table is located in a yellow building at 2114 Fourteenth Street, NW, in the District, near the intersection of 14th and U Streets. On-street parking is available. Volunteers are asked to bring sandwich fixings (bread and sandwich meat) with them, as the center often runs out of donated food. Future dates include: June 27 and July 25, so mark your calendars now.

For more information, contact Howard Weiss at 703/812-0471 (or Chris Wood at 202/939-7903 (cwood@fw-law.com)).

Volunteers Wanted for McKenna's Wagon Mobile Soup Kitchen on May 23

FCBA volunteers will meet to assist Martha's Table's, mobile soup kitchen, McKenna's Wagon on Sunday, May 23. Volunteers will meet on Sunday afternoon at Martha's Table before they depart with the van of food to selected locations. Other upcoming volunteer days are June 27, July 25, and August 22. To volunteer, or for more information about McKenna's Wagon, please contact: Cara Voth - cara.voth@fcc.gov or Tom Van Wazer - tvanwaze@sidley.com.

JOB BANK

TO RESPOND TO JOB BANK LISTINGS

If the employer is listed, send the information requested directly to the employer. If you are responding to a **BLIND BOX** listing, send **ONE COPY** of the information requested to Heidi Kurtz, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, or **EMAIL** it to heidi@fcba.org. Please clearly indicate the Blind Box number to which you are responding. If you are applying to a Blind Box, you may enclose a separate note to the FCBA specifying any organization to which you do not wish your application to be forwarded. Responses to Blind Box listings can be accepted only from FCBA members.

TO LIST A JOB

Complete a Job Bank Form and send or fax the Form and the appropriate payment to Heidi Kurtz, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101. In addition, please email the text of the ad to heidi@fcba.org. Listings and payment received by the 10th day of each month will appear in the next month's newsletter. If possible, ads should not exceed 75 words. Please call the FCBA, (202) 293-4000, for a Job Bank Form. (No headhunters please).

CORPORATE/LAW FIRM

5.04.1

International Satellite Communications - Iridium Satellite LLC, a leading provider of global, satellite-based, wireless communications services seeks Director, International licensing to procure and

maintain licenses and other authorizations and agreements worldwide. Works closely with staff on international regulatory activities, licensing, regulatory policies related to licensing and licensing compliance. Candidates must possess exceptional analytical, communication, and negotiation skills with at least 5 years obtaining licenses and regulatory authorizations internationally. Bachelor's degree required, advanced degree preferred. Fluency in at least one language other than English a plus. Please forward cover letter and resume to openings@iridium.com, referencing 04-203 in the subject line. Iridium supports a drug-free work place. Equal opportunity employer.

5.04.2

Communications Associate - Leventhal Senter & Lerman seeks an associate with two to four years of experience in communications law (broadcast regulatory and transactional experience preferred) for immediate hire. We offer a congenial work atmosphere, great clients, interesting projects, competitive compensation and benefits. Strong writing, research and people skills essential. Send resume and writing sample in confidence to Hiring Coordinator, Leventhal Senter & Lerman, Suite 600, 2000 K Street, NW, Washington, DC 20006.

5.04.3

Corporate Counsel - Regulatory - Nextel Partners, a wireless communications provider, seeks an In-House Regulatory Counsel in Seattle, WA. Counsel will provide strategic guidance with respect to all regulatory proceedings before the FCC and state utility commissions, formulate company positions to pending state and federal regulations; manage and supervise outside regulatory counsel; and negotiate interconnection and other related

agreements. Ideal candidate must be admitted to practice law in the United States and have five years of relevant regulatory experience. We're seeking a creative problem solver and a team player comfortable with a rapidly changing environment. We offer a generous compensation package and a comprehensive medical, dental and life insurance package. Email your resume to: kerry.Baughman@nextelpartners.com. Please include salary requirements with resume.

GOVERNMENT/ NON-PROFIT/ACADEMIC

5.04.4

Telecommunications & Energy Bureau - Assistant Attorney General - Reference No. TEBNYC040904. The Telecommunications and Energy Bureau of the Office of the New York State Attorney General is seeking an Assistant Attorney General with experience in one or both areas to work on cutting-edge issues in telecommunications and energy law, regulation, policy and enforcement. The Bureau's mission is to protect consumers of communications services (such as telephone, cable and broadcast television and broadband services) and energy products (such as electricity, heating oil, and natural gas). Working through litigation, public education and advocacy in regulatory proceedings, the Bureau focuses on consumer interests in addressing the complex issues that pervade the rapidly changing telecommunications and energy sectors. The candidate must have superior research and writing skills, experience in litigation and public policy, the ability to think creatively and a commitment to consumer advocacy. Experience working with laws governing telecommunications or energy; familiarity with current policy debates concerning telecommunications and energy, particularly issues around deregulation and competition is desirable; knowledge of economics or antitrust is also helpful. Attorneys must have a minimum of five years post bar practice experience and reside in (or intend to soon become a resident of) New York State. Please submit cover letter, resumé, references and writing sample by May 15, 2004 to: Ms. Camille Chin-Kee-Fatt, Assistant Attorney General-in-Charge, Bureau of Legal Recruitment, Office of the New York State Attorney General, 120 Broadway, New York, NY 10271. Indicate Reference No. and salary requirements in your cover letter.

What's the Password?

Many of you have noticed that while trying to log into the FCBA's Online Membership Directory: http://www.fcba.org/directory_login.shtml, that a password is required. The password can be located *every month on page two* of the *FCBA News*, and will appear at the bottom of the masthead. The masthead is the box containing the list of the FCBA's Executive Committee members. The password changes on the 10th of every month.

COMMITTEE AND CHAPTER EVENT FORM

Name _____ Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

CHECK THE EVENT(S) FOR WHICH YOU ARE REGISTERING:

- Friday, May 7, 2004 Wireless Luncheon**, Sidley Austin Brown and Wood, 1501 K Street, NW, Washington, DC. 12:15 p.m.
Cost: \$15.00
Registrations and cancellations due by 5:00 p.m., Tuesday, May 4, 2004
- Monday, May 10, 2004 Panel Discussion, Tinker Tailor Lawyer & More**, Hogan & Hartson, 555 Thirteenth Street, Washington D.C., 6:30 - 8:00 p.m.
Cost: \$20.00 for FCBA/WICT and WBA Members; \$30.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Thursday, May 6, 2004
- Friday, May 14, 2004 Midwest Chapter Luncheon with Commissioner Abernathy**, The Palmer House Hotel, 17 East Monroe Street, Chicago, IL. Noon.
Cost: \$45.00 for FCBA members and \$60.00 for non-members
Registrations and cancellations due by 5:00 p.m., Monday, May 10, 2004
- Friday, May 21, 2004 Pacific Northwest Chapter Luncheon with Bryan Tramont**, Miller Nash, LLP, 55th Fl, Two Union Square, 601 Union St., Seattle, WA, Noon - 1:00 p.m.
Cost: \$25.00 for FCBA Members and \$30.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Monday, May 17, 2004
- Thursday, June 24, 2004 FCBA Luncheon with Commissioner Abernathy**, J.W. Marriott Hotel, 1331 Pennsylvania Avenue, NW, Washington D.C. Registration will open at Noon. Luncheon begins at 12:30 p.m.
Cost: \$45.00 for Private Sector Members; \$35.00 for Government and Academic Members, and \$65.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Monday, June 21, 2004

\$ _____ Total Enclosed Visa MasterCard American Express

Credit card no. _____ Exp. date _____

Signature _____

PAYMENT MUST BE RECEIVED NO LATER THAN THE DAY OF THE EVENT. PHONE REGISTRATIONS WILL NOT BE ACCEPTED.

PLEASE FAX THIS FORM TO: Wendy Parish, Federal Communications Bar Association, Fax: (202) 293-4317

CLE CREDIT: FCBA will be requesting accreditation from the State Bars of Virginia and California for continuing legal education credit. If approved, forms for Virginia and California will be available at the Seminar Registration Desk. Please note that FCBA does not obtain CLE credit for other states. The FCBA will, however, assist with applications to other states, but attorneys must apply individually for credit courses and submit any forms and payments necessary directly to the state bar. The number of credits corresponds with the number of hours of course time, i.e., a two-hour seminar equals 2.0 hours of credit.

Federal Communications Bar Association
1020 19th Street, N.W., Suite 325
Washington, D.C. 20036
Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: fcba@fcba.org

70TH ANNIVERSARY OF THE COMMUNICATIONS ACT

Thursday, June 3, 2004

**THE WASHINGTON HILTON, 1919 CONNECTICUT AVE., NW, WASHINGTON, D.C.
6:00 TO 8:00 P.M.**

PLEASE RESERVE THE FOLLOWING:

- _____ Gold Sponsorship(s) at \$500.00 per sponsorship (includes four tickets to the event, recognition in the newsletter, and acknowledgement at the event)

 - _____ Silver Sponsorship(s) at \$250.00 per sponsorship (includes two tickets to the event, recognition in the newsletter, and acknowledgement at the event)

 - _____ FCBA Private Sector Member ticket(s) at \$50.00 per ticket

 - _____ FCBA Government/Academic/Law Student Member ticket(s) at \$30.00 per ticket

 - _____ Non-Member ticket(s) at \$60.00 per ticket
-

Name _____

Organization _____

Address _____

Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

PLEASE LIST NAMES OF ALL ATTENDEES

(all guests' names must be received by mail, fax, or e-mail no later than Friday, May 28):

PAYMENT INFORMATION

\$ _____ Total Enclosed Visa MasterCard American Express

Credit card no. _____ Exp. date _____

Signature _____

PLEASE SEND THIS FORM AND A CHECK MADE PAYABLE TO THE "FCBA" OR FAX TO (202) 293-4317 NO LATER THAN FRIDAY, MAY 28 TO:

Federal Communications Bar Association
1020 19th Street, N.W., Suite 325
Washington, D.C. 20036
Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: fcba@fcba.org

NO TICKETS WILL BE MAILED. RESERVATIONS WILL BE CONFIRMED AT THE REGISTRATION DESK AT THE RECEPTION.

CANCELLATION POLICY: DUE TO THE NATURE OF THIS EVENT, NO REFUNDS WILL BE GIVEN FOR CANCELLATIONS.



ROBERT E. LEE MEMORIAL FCBA FOUNDATION CHARITY GOLF TOURNAMENT REGISTRATION

Name _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

YES! I WOULD LIKE TO SUPPORT THE GOLF TOURNAMENT, TO BE HELD ON FRIDAY, JUNE 18, 2004, AT BULL RUN GOLF CLUB, AS INDICATED BELOW:

- | | |
|---|----------|
| <input type="checkbox"/> Eagle Club | \$ 1,600 |
| <input type="checkbox"/> Foursome Friends | \$ 1,200 |
| <input type="checkbox"/> FCBA Private Sector Member | \$ 200 |
| <input type="checkbox"/> FCBA Government/Academic/Young Lawyer/Law Student Member | \$ 125 |
| <input type="checkbox"/> Non-Member | \$ 250 |

GOLFERS IN YOUR FOURSOME (IF KNOWN AT THIS TIME):

Name(s)	Organization	Handicap or average of last two rounds
_____	_____	_____
_____	_____	_____
_____	_____	_____

Eagle Club - \$1,600

- Golf foursome including admission to all event activities
- Continental breakfast and lunch
- Participation with other Eagle Club sponsors in exclusive "Tournament Within A Tournament" competition to win the coveted Eagle Club trophy
- Sponsorship of one hole on course with hole signage
- Full page ad in event program
- Top-level recognition in all event advertising before and after the tournament

For more information about the tournament, go to www.fcba.org

Note: Players may choose their foursomes regardless of donation level.

Foursome Friends - \$1,200

- Golf foursome including admission to all event activities
- Continental breakfast and lunch
- Half page ad in event program
- Recognition in all event advertising before and after the tournament

Tournament Sponsor — \$250

- Recognition in the program, *FCBA News*, and signage at the event.

SCHEDULE

- 7:00 a.m. Registration and driving range open
- 7:30 a.m. Complimentary continental breakfast available
- 9:00 a.m. Shotgun start
- 2:00 p.m. Lunch and awards ceremony

CHAIRMAN LEE

The tournament is named in memory of former Federal Communications Commission (FCC) Chairman Robert E. Lee, who passed away in April 1993 after serving on the FCC for almost thirty years. Chairman Lee served as a Commissioner of the FCC for 28 years and was instrumental in the early development of color television, among other contributions to federal communications policy.

PLEASE SEND THIS FORM AND A CHECK MADE PAYABLE TO THE "FCBA FOUNDATION" TO:

Heidi Kurtz
1020 19th St., NW
Suite 325
Washington, DC 20036
Tel: 202 293-4000
Fax: 202 293-4317
heidi@fcba.org

PLEASE RETURN FORM AND PAYMENT BY WEDNESDAY, JUNE 9, 2004

\$ _____ Total Enclosed Visa MasterCard American Express

Credit card no. _____ Exp. date _____

Signature _____

FCBA Luncheon with FCC Commissioner Abernathy on June 24

The FCBA will be holding a luncheon in conjunction with its annual meeting on Thursday, June 24, 2004. There will be a reception at Noon, and from 12:30 to 2:00 p.m., there will be an announcement of the FCBA election results, the President's passing of the gavel, a presentation of awards, as well as other

orders of business, lunch and a keynote speech by FCC Commissioner Kathleen Q. Abernathy.

The luncheon will be held at the J.W. Marriott Hotel, 1331 Pennsylvania Avenue, NW. For registration information and prices, see page 9

Calendar

May 6-7	Computer Law Association Conference, Park Hyatt, Washington, D.C.
May 7	Wireless Telecommunications Committee Luncheon
May 7	Young Lawyers Committee Brown Bag Lunch
May 8	Volunteer for the Bread for the City Legal Walk-in Clinic
May 10	Tinker, Tailor, Lawyer and More Seminar and Reception
May 11	Cable and Legislative Committees Brown Bag Lunch
May 13	International Telecommunications Committee and DC Bar Brown Bag
May 14	Midwest Chapter Luncheon with Commissioner Abernathy
May 17	Online Communications Committee Brown Bag
May 21	Pacific Northwest Chapter Luncheon with Bryan Tramont
May 23	Volunteer for McKenna's Wagon
May 30	Volunteer for Martha's Table
June 3	FCBA Reception to celebrate 70th Anniversary of the Telecom Act of 1934
June 9	Save the Date CLE Seminar on CFIUS
June 18	Charity Auction Recipient Applications Due
June 18	8th Annual FCBA Foundation Golf Tournament, Bull Run Golf Club
June 24	Annual Meeting and Luncheon with Commissioner Abernathy, Washington, D.C.
September 18-20	FCBA Seminar West, The Claremont, Berkeley, CA
November 18	15th Annual Charity Auction
December 2	18th Annual Chairman's Dinner



FEDERAL COMMUNICATIONS
BAR ASSOCIATION

1020 19th Street, N.W.

Suite 325

Washington, D.C. 20036