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N E W S

August 2008

Newsletter of the Federal Communications Bar Association

FCBA Foundation Reports on a Very Successful 2007-2008 Year

The Federal Communications Bar Association Foundation, celebrating the 17th Anniversary of its founding, had a successful year providing charitable support for education and children's issues in furtherance of the goals set out in its Mission Statement to:

1) Support worthwhile communications-related and educational projects, as well as other community service projects, particularly those directed towards children and students, through financial contributions and through volunteer services provided by Foundation members and others.

2) Foster greater public awareness and understanding of the development of communications technology, resources and law.

The Foundation's accomplishments this year included awarding about \$140,000 in college scholarships, plus laptop computers, to 12

students from five inner-city District of Columbia high schools; providing \$25,600 in stipends to five law students working in summer internships at the Federal Communications Commission; donating \$100,000 to **Kid-Power DC** raised during the annual Charity Auction co-sponsored with the FCBA's **Young Lawyers Committee**, and numerous volunteer activities. These activities, and the Foundation's overall success, is a direct result of the generous support of individual FCBA members, as well as their firms and companies. This Annual Report summarizes the Foundation's activities during the recently completed 2007-2008 year.

TRUSTEES

The Foundation is governed by a Board of Trustees, most of whom are elected by the FCBA membership, but which also may include persons appointed in accordance

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Save the Date!

The **22nd Annual Chairman's Dinner** will be held **Tuesday, November 18, 2008** at the Washington Hilton Hotel. Watch the FCBA News in September for further details and the dinner reservation form.

Young Lawyers Committee Fundraiser: FCBA Shirts for Sale!

The Young Lawyers Committee is selling FCBA polo shirts to benefit the FCBA Foundation. Perfect for summertime business casual! The shirts are navy blue and embroidered with the FCBA logo in white and amber. Available in women's sizes S, M, and XL and men's sizes M, L, and XL for \$30 per shirt; available in men's XXL for \$32 per shirt. \$16 of the purchase price is deductible as a donation to the FCBA Foundation. To place an order, visit www.fcba.org and submit the form to the FCBA by fax (202-293-4317) or mail (1020 19th Street, NW, Suite 325, Washington, DC 20036). For additional information, please contact **Kerry Loughney** (202-293-4000; kerry@fcba.org) or **Tarah Grant** (703-610-6155; tsgrant@hhlaw.com).

Online Registration Now Available!! Visit the FCBA website.

Save the Date of Thursday, November 6, 2008 for the 19th Annual FCBA Charity Auction

NEW LOCATION:

Capital Hilton
1001 16th Street, NW, Washington, D.C.

To volunteer, contact FCBAauction@gmail.com. To donate auction items, fill out the Auction Donation Form on page 12 of this newsletter or contact **Tarah Grant** (tsgrant@hhlaw.com) or **Cathy Hilke** (chilke@wileyrein.com).

Proceeds to benefit Horton's Kids and the FCBA Foundation

PRESIDENT'S Message

DEAR MEMBERS:

As a new year starts, I cannot help but reflect on one of our recent losses, long-time FCBA member **John Quale**, who recently passed away after a courageous battle with bladder cancer. I thank **Howard Liberman** and the Commendations Committee for preparing the In Memoriam for John contained on page 11 of this issue. John served the FCBA well, including time spent on the Executive Committee and as an officer, and we will miss him. Our hearts go out to John's wife, Diane Zipursky Quale, also a long-time supporter of the FCBA, and their five children. I will always remember John for his exemplary ability to blend the highest level of intelligence, analysis and advocacy with an equally lofty height of kindness, humility and respect for others.



With John's example in mind, I look forward to a new year of programs we will share, with the hope that the FCBA can provide a significant line up of events that inform our members, elevate the quality of debate over important and difficult issues, serve our communities, and provide us with the opportunity to know each other better. Please see page 4 for a list of the committee program chairs for this year, and I hope all of you will spend some time working with one or more committees to make their efforts rewarding for you and other members. Committee lunches, continuing legal education programs and other events form the core of the FCBA's communications practice activities.

In addition to committee events, we can look forward to the Fall reception with the Bureau and Office Chiefs in early October, the 19th Annual Charity Auction on November 6, our annual dinner with the FCC Chairman on November 18, and the joint program with PLI that takes place in the first week of December. These events have become honored traditions of our Association, and as we plan them for this year, we hope to maintain their high quality while making them fun, interesting and relevant.

We are also planning for the second half of the year, which will include a communications law forum in February that will mark the 75th year of the Communications Act, a reception for the new Congress in March, and our Annual Seminar on May 1-3, which will be held for the first time at the newly-renovated Williamsburg Inn and Lodge facility in the heart of Colonial Williamsburg. I look forward to sharing all of these programs with you.

Mark D. Schneider



FEDERAL COMMUNICATIONS
BAR ASSOCIATION

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Password as of August 10: 565

FCBA Membership Renewal

Instructions on how to renew your membership for FY 2009 (July 1, 2008 – June 30, 2009) were emailed out to all members in early June. Please see **page 3** for step-by-step instructions on how to complete the process and make sure you maintain your active member status. **Please note that the deadline was JULY 31, 2008.**

If you would like to update the committee(s) you are on, download the form at <http://www.fcba.org/upload/fy09committeeform.pdf> and fax or mail it back to us at FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036, Fax: 202-293-4317. And please remember, a donation to the FCBA Foundation, while renewing your membership, is always appreciated!

Online Membership Renewals

This year we are implementing online dues renewal as a new service to our members. We will NOT be mailing the invoices out so you must follow the instructions below to renew. Your current membership will expire June 30, 2008 and by renewing, your membership will be good through June 30, 2009. **Please note that the deadline was JULY 31, 2008.**

TO RENEW ONLINE BY CREDIT CARD AND MAKE A CONTRIBUTION TO THE FOUNDATION:

- Click the **Login** link at www.fcba.org or go to <https://www.netforumondemand.com/eWeb/DynamicPage.aspx?Site=FCBA&WebCode=LoginRequired>. The primary email and password used to sign in MUST be the same as have been used for online registrations in the past, by the individual who is being renewed. If the password is not known or has never been activated, click on the **Forgot your Password?** link and follow the instructions to generate a new password.
- To view your renewal invoice, go to the **My Transactions** link. Here you can see a list of all your orders and invoices.
****Note:** For details on a particular order click on the small box to the left of the order #.
- Go to the **Online Store** link. Make sure **All Products** is selected in the upper, left-hand pull-down box and click the **Go** button.
- Select **FCBA Foundation Contribution**, enter the amount, and click the **Add to Cart** button.
- Click **Check Out**. Select billing information and click **Next**.
- Check the box for the **Dues Renewal Order**. Click **Next** and follow the instructions to process your payment.

TO RENEW ONLINE BY CREDIT CARD:

Click the **Login** link at www.fcba.org or go to <https://www.netforumondemand.com/eWeb/DynamicPage.aspx?Site=FCBA&WebCode=LoginRequired>. The primary email and password used to sign in MUST be the same as have been used for online registrations in the past, by the individual who is being renewed. If the password is not known or has never been activated, click on the **Forgot your Password?** link and follow the instructions to generate a new password.

- Once logged in, go to the **My Transactions** link. Here you can see a list of all your orders and invoices.
****Note:** For details on a particular order click on the small box to the left of the order #.
- Click on the **Pay Open Orders** link at the top right of the page of the My Transactions page.
- Choose the order/invoice you wish to pay and follow the instructions to process your payment.

TO RENEW BY CHECK:

- Click the **Login** link at www.fcba.org or go to <https://www.netforumondemand.com/eWeb/DynamicPage.aspx?Site=FCBA&WebCode=LoginRequired>. The primary email and password used to sign in MUST be the same as have been used for online registrations in the past, by the individual who is being renewed. If the password is not known or has never been activated, click on the **Forgot your Password?** link and follow the instructions to generate a new password.
- Once logged in, go to the **My Transactions** link. Here you can see a list of all your orders and invoices.
- Click on the small box to the left of the order/invoice # for your dues payment and print the page.
- You must include the printed invoice along with your check and mail to the address on the invoice.
- If you would like to make a tax-deductible donation to the FCBA Foundation, please send in a check with your renewal and note the contribution amount.

We have been reminded that some firms/companies prefer to pay for a **group of membership renewals** at one time with one check. In order to do this, each individual member will need to print out his/her own invoice and as with mailed dues invoices in the past, submit it for payment through their internal channels. If we receive one check for multiple renewals, a copy of each individual invoice must be included. If you are paying for multiple renewals by credit card, you must pay each invoice individually online.

PLEASE NOTE THAT YOU CANNOT CHANGE YOUR MEMBERSHIP TYPE OR YOUR CONTACT INFORMATION ONLINE. If you need to make a membership type change, please contact Wendy Parish at wendy@fcba.org or call 202-293-4000 **BEFORE paying the invoice**. If you need to change your contact information, please email your new information to wendy@fcba.org.

To view your information in the new FCBA online directory, click on the **Individual Directory** link in the menu options after you have logged in. Search for your entry information. Note that this directory is different than the one we've used previously, and only displays your name, address, email, and primary phone and fax number. Our database can still house more info, such as alternate phone and cell phone numbers, but it will not be reflected in the new directory. The old online directory will be phased out this summer – until then you can still access it at <http://www.fcba.org/members/> using the password in the masthead of page 2 of the monthly newsletter.

COMMITTEE SIGN-UP

If you would like to update the committee(s) you are on, download the form at <http://www.fcba.org/upload/fy09committeeform.pdf> and fax or mail it back to us at FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036, Fax: 202-293-4317.

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Charity Auction Committee

The 2008 Charity Auction is kicking into high gear and we need your help to make this year's auction a huge success! Please volunteer to help us solicit great prizes from local businesses—all FCBA members are encouraged to participate, regardless of experience. In addition, if you know people who work with or own businesses that might offer great prizes, let us know. The co-chairs of the subcommittee responsible for prize collection are **Danielle Benoit, David Redl, Mike Saperstein, and Ron Whitworth**. If you are interested in volunteering some of your time, we would greatly appreciate your help! Please send an email to FCBAauction@gmail.com.

Rocky Mountain Chapter

September 5, 2008 "Deregulation Revisited: A Tribute to Fred Kahn"

Friday, September 5, 2008 from 8:30 a.m. – 6:45 p.m. to be held at the Wolf Law Building, University of Colorado at Boulder. To say that Fred Kahn is the archetype and inspiration for the deregulatory policies that have transformed a series of network industries over the last thirty years is no exaggeration. His academic leadership and vision, captured in *The Economics of Regulation*, attracted needed attention and insights to a field long viewed as a staid exercise in natural monopoly regulation. At the New York Public Service Commission, Fred established a standard for leadership and thoughtful policymakers that elevated the role of such commissions across the country and began to change conventional thinking about

telecommunications and electricity regulation. Finally, at the Civil Aeronautics Board, Fred Kahn took the helm of an agency on autopilot and re-evaluated the wisdom of command-and-control regulations that are widely viewed as preventing entry and protecting incumbents. In so doing, he not only helped to transform the regulation of airlines in this country, but made clear that enlightened leadership can make an enormous difference in public policymaking.

Thirty years after the singular accomplishment of spurring the enactment of the Airline Deregulation Act of 1978, it is an opportune occasion to reflect both on the deregulatory initiatives of the last thirty years and, in particular, on Fred Kahn's teachings and contributions to that effort. An increasing number of commentators who previously advocated deregulation "no longer believe that deregulation has been a complete, an unqualified, success," as Judge Richard Posner recently put it. This judgment begs the question what lessons can we learn from the deregulatory initiative in airlines, what to make of deregulatory efforts in telecommunications and energy, and whether the U.S. economy has indeed outpaced its foreign rivals in part because of its more nimble and less regulated market environment. In this conference, we will bring together a group of policymakers, former policymakers, academics, and industry leaders from across the last several decades to evaluate the legacy of deregulation, with particular attention to and appreciation for Fred Kahn's leadership and teachings in the area.

Registration information available at <http://www.silicon-flatirons.org/index.php>.

Schedule of Events

1:00 p.m.

WELCOME

Phil Weiser, Executive Director, Silicon Flatirons Center

1:15 – 2:30 p.m.

TELECOMMUNICATIONS: ASSESSING THE LESSONS FROM THE 1996 TELECOM ACT

Dale Hatfield, Adjunct Professor, University of Colorado, Former Chief Engineer, Federal Communications Commission

Tom Hazlett, Professor, George Mason University

Tim Tardiff, Managing Director, Huron Consulting Group

Phil Verveer, Partner, Wilkie Farr & Gallagher LLP

Dennis Weisman, Professor of Economics, Kansas State University

2:30 – 3:45 p.m.

ELECTRIC POWER AND THE CHALLENGES OF REGULATORY REFORM

Richard Cudahy, Judge, Seventh Circuit Court of Appeals

Raymond Gifford, Silicon Flatirons Senior Adjunct Fellow, University of Colorado, Partner, Kamlet Shepherd & Reichert, Former Chairman, Colorado Public Utilities Commission

Paul Joskow, CEO, Sloan Foundation

Jeff Sturba, CEO, Public Service of New Mexico

Pat Wood, Former Chairman, Federal Energy Commission

3:45 – 4:00 p.m.

Break

4:00 – 5:15 p.m.

AIRLINE DEREGULATION AND ITS AFTERMATH

Sam Addoms, Former CEO, Frontier Airlines

Darius W. Gaskins, Jr., Partner, Norbridge, Former CEO, Burlington Northern Railroad, Former Chairman, Interstate Commerce Commission

Michael E. Levine, Distinguished Research Scholar and Senior Lecturer, NYU Law School

Michael Roach, Principal, Roach & Sbarra, an aviation consultancy, Co-founder and first president of America West Airlines

Dorothy Robyn, Principal, Brattle Group

5:15 – 5:45 p.m.

CLOSING REMARKS

Alfred Kahn, Special Consultant, National Economic Research Associates, Inc. (NERA)

Robert Julius Thorne, Professor of Political Economy, Emeritus, Cornell University

5:45 – 6:45 p.m.

RECEPTION

October 17, 2008 “The Structure of the Video Programming Industry: Revolution, Regulation, or the Return of Yesterday’s Battles?”

Co-sponsored by the Cable Center and the Communications Technology Professionals

Friday, October 17, 2008 from 8:30 a.m. – 1:30 p.m. to be held at the Cable Center, Denver, CO. The structure of the video programming industry is facing a perfect storm of technological change, increased competition, and calls for new regulation. Responding to these forces, both producers and distributors of video content are increasingly exploring new business models, ranging from streaming video to same day DVD release to video on demand. In some cases, these business models undermine established patterns of doing business and call into question existing regulatory policies. To explore this set of issues, this conference will bring together a group of industry leaders to examine the intertwined policy, business, and technological issues.

The conference will address the changing industry structure by focusing on three distinct set of themes—the opportunities and challenge of independent networks; the role of access regulation; and the impact of new technologies. In terms of the rise of independent networks, some view the

challenges of the NFL Network and claim that the barriers to entry are simply too great. Others, however, suggest that the legacy model of cable networks is unsustainable in the face of continually rising programming costs and opportunities for distribution via the Internet. As to access regulation, the re-authorization of the program access rules and recently initiated proceeding looking at cable network bundling reflect concerns about market power and vertical integration. For the cable industry, the increasing regulatory attention at a time of increasing competition is difficult to understand. Any new regulatory initiatives (or continuation of old ones) must grapple with the impact of new technologies, particularly those related to the Internet, and the question of whether TV viewing will be liberated from the traditional delivery channels and available in multi-forms and in different media or will continue to rely on intermediaries in a world where viewing habits may well be stubborn and resistant to change.

Registration information available at <http://www.silicon-flatirons.org/index.php>.

Schedule of Events

8:30 – 8:45 a.m.

WELCOME

Jana Henthorn, Senior Vice President, Cable Center

8:45 – 9:45 a.m.

THE OPPORTUNITIES AND CHALLENGES FOR INDEPENDENT NETWORKS

Bridget Baker, President, NBC/Universal Cable

Susan Fox, Vice President for Government Relations, The Walt Disney Company

David Zagin, Executive Vice President, Distribution, AETN

9:45 – 10:45 a.m.

THE ROLE OF ACCESS REGULATION: REGIONAL

SPORTS NETWORKS, PROGRAM ACCESS, AND MUST CARRY

Dan Brenner, Senior Vice President for Law & Regulatory Policy, National Cable & Telecommunications Association (NCTA)

Linda Kinney, Vice President, Law & Regulation, Echostar

Marsha MacBride, Executive Vice President, National Association of Broadcasters

Kathy Zachem, Vice President, Comcast Corporation

10:45 – 11:00 a.m.

BREAK

11:00 - 12:00 Noon

THE IMPACT OF NEW TECHNOLOGIES

Richard Green, CEO, Cablelabs

Andrew McFarlane, CEO, Buzzwire

Ryan McIntyre, Managing Director, Foundry Group

Peter Stern, Executive Vice President, Business Strategy, Time Warner Cable

12:00 – 1: 30 p.m.

LUNCH AND KEYNOTE SPEAKER

Michael Copps, FCC Commissioner

COMMITTEE AND CHAPTER Events

Young Lawyers Committee

Event: Happy Hour

Date/Time: Tuesday, August 5, 6:30 – 8:30 p.m.

Location: Tony and Joe’s Seafood Place at the Georgetown Waterfront, 3000 K Street, NW

More Info: Take advantage of the only YLC Happy Hour on the water! Come join other young lawyers, summer associates, and interns as they try to hold on to the summer. Tony & Joe will be providing us with drink specials (\$4 beers, \$5 call drinks). All are welcome to attend and no RSVP is needed.

Contacts: Devin Crock (dcrock@kelleydrye.com) or Tarah Grant (tgrant@hhlaw.com)

SUCCESSFUL YEAR

CONTINUED FROM PAGE 1

with the Foundation's By-Laws. This year's Trustees were **Kathleen Abernathy, Michael Altschul, Laura Carter, Rick Chessen, Erin Dozier, Stacy Robinson Fuller, Jack Goodman, Donna Lampert, Jane Mago, Larry Movshin, Celia Nogales, Lee Petro, and Amy Wolverton**. The Foundation's officers, as elected by the Board of Trustees, were: **Lee Petro**, Chairman; **Jack Goodman**, Treasurer; and **Jane Mago and Larry Movshin**, Co-Secretary.

Four non-Board members worked extensively with the Board as co-chairs of the Volunteer Services Committee, **Howard Weiss, Megan Anne Stull, Marlo Go, and Tom Van Wazer**. The FCBA's Executive Director **Stan Zenor**, Director of Membership Services **Kerry Loughney, Wendy Parish and Ann Henson**, provided invaluable support to the Foundation.

SCHOLARSHIP PROGRAM

The Foundation's scholarship program, the **Chairman Robert E. Lee Scholarship Fund**, is its most significant undertaking, both in terms of the funds awarded and in the amount of time required to administer the program. The 12 scholarships, and the laptops awarded to the scholarship recipients have the Foundation committing approximately \$155,000 to this year's scholarship program, helping these very

deserving students. The scholarship recipients and additional details about this year's scholarship program are described in the report, which appeared in the **July 2008** issue of the **FCBA News**.

The scholarships are awarded based on a number of different criteria, including the student's predicted ability to succeed in college, past academic performance, participation in school activities, school attendance, service to the community, financial need, and other relevant factors that may apply to each individual applicant. The scholarship applicants are reviewed on the basis of a written application (including biographical information, academic performance and an essay) and a personal interview with members of the Foundation's Board of Trustees and other FCBA volunteers.

Laura Carter, Erin Dozier, and Stacy Robinson Fuller served as the Foundation's Scholarship Committee Co-Chairs, overseeing the entire program. They were responsible for contacting and coordinating with the eight District of Columbia high schools from which the Foundation solicited applicants: Anacostia High School, Bell Multicultural High School, Calvin Coolidge High School, Cardozo High School, McKinley Technology High School, Thurgood Marshall Academy Public Charter School, Roosevelt High School, and Spingarn High School. The Foundation received 38 written applications. The Scholarship Committee Co-Chairs participated in and coordinated the review of the written applications, which determined the 22 applicants who would be interviewed. The Co-Chairs also participated in and coordinated the applicant interviews, in which the Trustees and other members of the FCBA participated. The Co-Chairs also attended the award ceremonies at several of the high schools to announce the scholarship recipients at those schools.

The Foundation also continued its mentoring program of soliciting FCBA members interested in serving as a mentor to a scholarship recipient. The mentors are available to help support the students in their transition to college. This is an important component of the scholarship program, as most of the scholarship recipients lack family members or other people to whom they can turn who have gone through the college experience to provide advice and assistance. At year-end, the Foundation's Board approved an event, to be held July 20 at a Washington Mystics basketball game, where the scholarship recipients, their mentors, and Foundation Board members will be able to meet. Thanks to **Verizon** and the **National Association of Broadcasters**, who donated tickets to their Executive Suites at the Verizon Center for the Foundation to host this event.

INTERNSHIP PROGRAM

The Foundation's internship program awards stipends from the **Chairman Robert E. Lee Scholarship Fund** to law students serving in unpaid summer government legal internships involving communications law. The Foundation made awards to five students, totaling \$25,600. The base amount of each stipend is \$5,000, which is intended to help defray the student's expenses during the internship. One student is selected to receive an additional \$600 **Max Paglin Award**, in honor of the former FCBA member, FCC General Counsel and Executive Director, and founder of the Golden Jubilee Commission on Telecommunications. This year's recipients, all interning at the FCC, are:

Hannah Anderson, of the Indiana University of Law - Bloomington, worked in the Office of the Wireline Competition Bureau

Shawn Donilon, of the University of Southern California Law School, worked in the Office of Commissioner

2008 FCBA Membership Directories

The FCBA 2008 Membership Directories were printed and mailed to members in early April. Please use the order form on **page 14** to order additional copies for your office.

Jonathan Adelstein; MAX PAGLIN
AWARD WINNER - \$600 STIPEND

Kirstin Dunham, of the Stanford Law School, worked in the Office of General Counsel

Natasha O'Dell, of the University of Miami School of Law, worked in the International Bureau Strategic Analysis and Negotiations Division

Heidi Pease, of the Syracuse University, College of Law, worked in the Wireless Telecommunications Bureau Mobility Division

Amy Wolverton chaired the internship program. This included coordinating the distribution of notices of the Foundation's Internship Program to law schools throughout the country (a copy of the application also is posted on the Foundation's website), and then coordinating the review of the 21 applications submitted. A group of Foundation Trustees and FCBA members reviewed the applications, evaluating the applicants' financial need, academic achievements, community service, and the relationship of their proposed internship to communications law.

CHARITY AUCTION

The 2007 Charity Auction was held on November 15, 2007. Co-sponsored by the Foundation and the FCBA **Young Lawyers Committee**, this year's event raised \$100,000 to benefit Kid-Power DC. Kid-Power DC is a local non-profit organization that is dedicated to providing in-school and after-school enrichment activities for children living in the city's underserved communities.

The Charity Auction planning committee members were **Micah Caldwell, Chris Fedeli, Tarah Grant, Catherine Hilke, Steve Hitchcock, Adam Kirschenbaum, Kerry Loughney, Jane Mago, Larry Movshin, Nancy Ory, Natalie Roisman, Megan Anne Stull** and **Ryan Wallach**.

The sponsors of the 2007 Charity Auction were: **CTIA – The Wireless Association®, Davis Wright Tremaine LLP, Fleischman and Harding LLP, Google Inc., Hogan & Hartson LLP, Lockheed Martin Corporation, Morrison & Foerster LLP, Sidley Austin LLP, Trimble Navigation Ltd., Wiley Rein LLP, and Willkie Farr & Gallagher LLP.**

COMMUNITY SERVICE

The Foundation continued to sponsor numerous volunteer events and activities to fulfill one of its primary missions: volunteer services that support community service projects, particularly those directed towards children and students. **Howard Weiss** (a former member and chair of the Foundation's Board of Trustees) and **Megan Anne Stull** (former Volunteer of the Year) coordinated the Foundation's Volunteer Services Committee. They were primarily responsible for coordinating all volunteer activities, including making arrangements for several special field trips for children. I am particularly appreciative of the Co-Chairs efforts this year as they helped to reinvigorate the Foundation's volunteer activities, and they served as Co-Chairs although neither was a member of the Foundation's Board. They exemplified how FCBA members who are not members of the Foundation's Board can contribute to the Foundation's work in the community.

The Foundation continued its long-standing, monthly volunteer activities at Martha's Table and McKenna's Wagon.

On the last Sunday morning of each month, volunteers helped prepare meals for the homeless at Martha's Table, and on the fourth Sunday of every month volunteers delivered meals to the homeless in the District through McKenna's Wagon (a mobile soup kitchen operated by Martha's Table). **Howard Weiss** was responsible for coordinating the Sunday morning meal preparation, while **Marlo Go** and **Tom Van Wazer** coordinated the McKenna's Wagon volunteers.

FOUNDATION VOLUNTEER OF THE YEAR

At the FCBA's annual meeting and luncheon on June 20, the Foundation recognized **Howard Weiss** as its Volunteer of the Year. As noted above, although not a member of the Foundation's Board, Howard ran the Martha's Table volunteer efforts this year.

FUNDRAISING

The Foundation could not maintain or increase the level of services it provides without the funds needed to do so. The Board of Trustees remained committed to funding scholarships and internships using funds raised during the current year rather than drawing on the Foundation's reserves. At the same time, the Board hoped to further build the Foundation's reserves towards eventually reaching a level at which income from the reserves is sufficient to help fund the Foundation's on-going work. Fundraising is, therefore, a critical element to the Foundation's ability to fulfill its mission. **Michael**

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.**

Altschul, Kathleen Abernathy, and Jane Mago co-chaired the Foundation's Fundraising Committee, taking the lead in what was a very successful year for donations, particularly for the **Robert E. Lee Scholarship Fund**.

Special thanks go to the following companies and law firms for endowing specific named scholarships for high school students: **AT&T Services, Inc.** (\$16,000); **Comcast Corporation** (\$8,000); **CTIA - The Wireless Association** (\$10,000); **DIRECTV** (\$8,000); **Google Inc.** (\$12,000); **Microsoft Corporation** (\$8,000); **News Corporation** (\$20,000); **Sidley Austin** (\$12,000); and **Verizon Communications** (\$16,000). The Foundation also thanks the substantial contributions to its scholarship fund from: Akin Gump Strauss Hauer & Feld LLP, John Bagwell, Laura Berman, Evangula Brown, Sally Buckman, Laura and Jonathan Carter, Diana Cohen, Deborah Coleman, Dennis Corbett, Rebecca Cunningham, Seth and

Diane Davidson, Genevieve Edmonds, FJC Liebermann Godles Fund, Harris, Wilshire & Grannis LLP, Kellogg Huber Hansen Todd & Evans, PLLC, Sharon Krantzman, Erin Kucerik, Lampert, O'Connor & Johnston, P.C., Lawler Metzger Milkman & Keeney, LLC, Steven Lerman, Leventhal Senter & Lerman PLLC, Louis Levy, Brian M. Madden, Jeffrey Mooradian, Lois and Larry Movshin, Nancy Ory, Sushama Pathak, Ford S. Pippin, Qwest, Charla Rath, Judith Settles, Sher & Blackwell LLP, Ann Sonkwa-Kirindongo, Squire, Sanders & Dempsey LLP, T-Mobile USA, Inc., Greg Vogt, Willkie Farr & Gallagher LLP, Wilmer Cutler Pickering Hale and Dorr LLP, Nancy Wolf, and Richard Zaragoza. The Foundation thanks **Lenovo** for providing the laptops at a discount, **Microsoft** for providing free software and **Paul Brigner** for installing the software on the laptop computers that the Foundation is awarding to its scholarship recipients. Thanks also to **Comcast Corporation** for underwriting

the production costs of the video of this year's scholarship recipients that was shown at the June 20 FCBA luncheon.

The FCBA's 21st Annual Chairman's Dinner, honoring FCC Chairman **Kevin Martin**, was held December 5, 2007 at the Washington Hilton's International Ballroom. The support of law firms and companies that purchased sponsor tables raised more than **\$35,000** for the Foundation's Scholarship Fund.

The 12th Annual FCBA Foundation Honorable Robert E. Lee Memorial Golf Tournament was held on Friday, June 6, at the Worthington Manor Golf Club in Urbana, MD. The tournament raised about **\$21,500** for the Foundation's Scholarship Fund. It is named in memory of former FCC Chairman Robert E. Lee, who passed away in April 1993 after serving on the FCC for almost 30 years. Thanks to **Robert Branson, Alan Campbell, Jonathan Cohen, Peter Corea, Joe Cramer, Tom Dombrowsky, Jr., Steve Goodman, Phil Malet, Larry Movshin, Lee Petro, Joy Ragsdale, Glenn Reynolds** (Chair), and **Larry Walke** who served on this year's planning committee and once again made the tournament a success.

CONCLUSION

The Foundation's Board of Trustees worked hard this year to build upon the success of past years. The continued generosity and dedication of FCBA members contributed to making this another successful year for the Foundation, helping to make a difference in the lives of students and children who are the direct beneficiaries of the Foundation's programs. As the year ended, four Board members ended their terms (**Laura Carter, Jack Goodman, Lee Petro, and Amy Wolverton**), while four new members prepared to start theirs (**Julie Kearney, Henry Rivera, Natalie Roisman, and Rick Whitt**). The remaining and new members of the Board of Trustees have a solid Foundation upon which to build and continue to fulfill the mission upon which it embarked 17 years ago,

The 3rd Annual ABA/FCBA Privacy & Data Security for Communications and Media Companies CLE - March 6, 2008 - DVD Now Available

IF YOU MISSED THIS 4-HOUR SEMINAR, BUY IT NOW!

This seminar focuses on the practical implementation of various domestic state and federal laws and regulations that impact the business operations, regulatory compliance, advertising, sales and marketing efforts of communications and media companies. It also provides a brief overview of international requirements for foreign operations of U.S. companies, including the transfer and processing of personal information from employees and citizens to the U.S. from foreign countries. Speakers included various in-house and outside counsel, plus FTC and FCC personnel. A wealth of written materials is also included on the DVD.

SESSION I - PRIVACY & DATA SECURITY 101

SESSION II - PRIVACY & DATA SECURITY ISSUES RELATED TO ADVERTISING, MARKETING & SALES

SESSION III - PRIVACY & DATA SECURITY ISSUES RELATED TO OPERATIONS AND EMPLOYEES

See page 13 for order form.

making a difference in the community in which many of us work and live.

Lee Petro
Chair, 2007-2008
FCBA Foundation

Volunteer Outreach for Martha's Table – August 31

Many of us are stretched for time these days, but why not consider spending a few hours on a Sunday to help the FCBA Foundation's partner charities? For several years now, the FCBA has been providing volunteers to Martha's Table and McKenna's Wagon. These organizations rely on the good work of our members each month, so grab a friend, colleague or family member and join your fellow FCBA volunteers!

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 food if possible, (e.g., cold cuts, bread, peanut butter, jelly, vegetables and potatoes) because the center often runs out of donated food.

The FCBA volunteers on the **last Sunday of every month**, so mark your calendars now. For more information, contact **Howard Weiss** at 703-812-0471 — weiss@fhhlaw.com.

McKenna's Wagon Seeking Volunteers for August 24

McKenna's Wagon is a mobile soup and sandwich wagon that goes "on location" to deliver food to the needy. For those

who have volunteered, it has been a wonderful experience and a great way to help the needy in the D.C. community. This is an especially good experience for the teens and pre-teens among us who do not have a full appreciation of the many privileges they enjoy. Community service credits are also available.

The Wagon is a white van that is loaded up with sandwiches, snacks and soup. We meet at Martha's Table at 4:45 pm in comfortable clothes and shoes. 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.

Upon arrival we get assignments (some of us will distribute snacks and sandwiches, others will serve soup), and put on aprons before we depart in the van to 5th and New York Ave., NW (near the new Convention Center). We are driven by one of our experienced

volunteers and the trip to distribution location takes about 10-15 minutes.

We serve about 30-75 people per visit including a few mothers who come for food for their families. The area is well patrolled by police. The food distribution is conducted in an efficient, calm and orderly fashion and many of the people we serve are quite appreciative of our efforts. Once we serve all of the food, we do a clean up of the immediate area. Total time for the distribution takes about one hour and we usually return to Martha's Table by or before 6:30 p.m.

We would love to have you join us on one of our upcoming food runs which are always on the **4th Sunday of the month**. If you are able to volunteer on **August 24th** or for a future date, please contact **Marlo Go** at MGo@ctia.org or **Tom VanWazer** at tvanwazer@sidley.com.

Foundation Mystics Event

The Foundation hosted its 2008 scholarship winners and their volunteer mentors at a Mystics game on July 20. The Foundation would like to thank the National Association of Broadcasters and Verizon for donating the use of their suites and all those who volunteered to serve as a mentor. A good time was had by all.



2008 Scholarship Recipients and Mentors

John Quale

Long-time FCBA member **John C. Quale** died on June 29, at age 61, after a long battle with bladder cancer. John was a partner in the Washington office of the law firm Skadden, Arps, Slate, Meagher & Flom LLP.

John was born in Massachusetts and grew up in Illinois. He graduated from Harvard College in 1968 and from Harvard Law School in 1971. Both degrees were *cum laude*.

After law school, John joined the Washington office of Kirkland & Ellis, which then had a prominent communications law practice. He left Kirkland & Ellis in 1983 with Richard Wiley and others to become a founding partner of the firm that is now Wiley Rein LLP. John left that firm in 1996 to become a partner at Skadden Arps.

John worked on a broad range of communications law issues arising in regulatory, legislative and transactional

matters. His clients included broadcast, satellite and wireless companies. He also represented venture capital and investment firms and commercial banks in communications matters.

John and his wife founded the Bladder Cancer Advocacy Network (BCAN), to raise awareness of bladder cancer among the general public and medical community and to advocate for allocation of additional government and private funds to research programs directed to the diagnosis, treatment and cure of bladder cancer. John was a board member of BCAN until his death.

John is survived by his wife, Diane Zipursky Quale, and five children. Diane also was a communications attorney and FCBA member for many years, and is the president and a director of BCAN.

John contributed a number of articles to the Federal Communications Law Journal over the years. His most recent article, co-authored with Skadden Arps

colleague Malcolm Tuesley, was "Space, The Final Frontier – Expanding FCC Regulation of Indecent Content Onto Direct Broadcast Satellite," 60 Fed. Comm. L.J. 37 (2007). One of his articles (co-authored with Brian Weimer) is still used by many communications lawyers even though it was published almost ten years ago: "Legal Opinions in Corporate Transactions Affected by FCC Regulations: An Economic Approach," 51 Fed. Comm. L.J. 773 (1999).

In addition, John served on the FCBA's Executive Committee for four years in the 1990s, and was Assistant Treasurer for our 1997-98 fiscal year and Treasurer for 1998-99.

John was a consummate lawyer and a tireless and inspiring advocate for cancer patients and survivors. He will be remembered by his many friends and colleagues for his keen intelligence, sharp wit, his unstinting willingness to mentor younger lawyers, and his deep devotion to his family.

Interested in Hosting an FCBA event?

The FCBA greatly appreciates the support of our members' firms and companies who provide space for our brown bag lunches, committee meetings, and CLE Seminars throughout the year. We are, however, always looking for new locations that can host FCBA events. We will be experimenting with some new presentation technology in future CLE seminars, which require more technical support than we have needed in the past.

In general terms, we need conference rooms that can seat at least 30 (more if possible) people at tables for brown bag lunches and committee meetings and conference rooms that can seat a minimum of 60 for CLE seminars. Firms and companies hosting brown bag lunches provide beverages and desserts; firms and companies hosting CLE seminars provide beverages and snacks. CLE seminars are generally held from 6:00 – 8:30 p.m. Additionally, for CLE seminars we need facilities that can provide technology support for microphones for as many as six speakers on a panel, the ability to tie the house sound system into a teleconference bridge, video projection capabilities for PowerPoint presentations, and access to the internet for presentations by speakers. If your firm or company has the needed conference room facilities and capabilities and would be willing to host future FCBA activities, please email **Stan Zenor**, stan@fcba.org, or **Kerry Loughney**, kerry@fcba.org.

19TH ANNUAL CHARITY AUCTION *Donation Form* - NOVEMBER 6, 2008

TO DONATE A PRIZE, PLEASE FOLLOW THESE INSTRUCTIONS:

1. Write a letter or certificate on your letterhead which includes a detailed description of the prize and a list of all restrictions (e.g. blackout dates, attendance specifications, etc.), and instructions on how the winner is to receive the prize.
2. Complete a copy of this prize donation form. If donating more than one prize, please submit a donation form for each prize.
3. List the donor (individual and/or company name) as it should appear in the auction prize book.
4. All prizes are valid through November 6, 2009, unless otherwise specified.

Donor (as it should appear in the prize book) _____

Contact Person _____

Organization _____

Address _____

Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

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Item(s) Donated (please attach a separate sheet if necessary and be as specific as possible) _____

Donor Estimate of Fair Market Value (required) \$ _____

Acknowledgement should be sent to (name, if different from contact person, and address) _____

Donation Obtained By (name of FCBA Member, if applicable) _____

PLEASE MAIL OR FAX THIS FORM NO LATER THAN MONDAY, OCTOBER 20 TO:

Kerry Loughney

Federal Communications Bar Association

1020 19th Street, N.W.

Suite 325

Washington, D.C. 20036-6101

Phone: (202) 293-4000

Fax: (202) 293-4317

E-mail: kerry@fcba.org

The 19th Annual Charity Auction, benefiting Horton's Kids and the FCBA Foundation, will be held on Thursday, November 6, at the Capital Hilton beginning at 7:00 p.m. Admission is free.

ALL DONATIONS MUST BE DELIVERED TO THE FCBA OFFICE NO LATER THAN FRIDAY, OCTOBER 24.

Prize donations of any value may be "bundled" with other prizes for the live or silent auction. Prize donations valued at the sponsorship level of \$1500 or greater will receive additional recognition. The Auction Committee may offer any prize donation valued at less than \$25 as a raffle prize.

THE 3RD ANNUAL ABA/FCBA PRIVACY & DATA SECURITY FOR COMMUNICATIONS AND MEDIA COMPANIES CLE – MARCH 6, 2008 – DVD Now Available

If you missed this 4-hour Seminar, buy it now!

This seminar focuses on the practical implementation of various domestic state and federal laws and regulations that impact the business operations, regulatory compliance, advertising, sales and marketing efforts of communications and media companies. It also provides a brief overview of international requirements for foreign operations of U.S. companies, including the transfer and processing of personal information from employees and citizens to the U.S. from foreign countries.

SESSION I - PRIVACY & DATA SECURITY 101

SESSION II - PRIVACY & DATA SECURITY ISSUES RELATED TO ADVERTISING, MARKETING & SALES

SESSION III - PRIVACY & DATA SECURITY ISSUES RELATED TO OPERATIONS AND EMPLOYEES

Cost: \$175.00 for ABA Communications Law Forum or FCBA Members
\$100.00 for Government & Student Members of Either Organization
\$300.00 for Non-Members

Name(s) _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

\$ _____ Total Enclosed Visa MasterCard American Express

Credit card no. _____ Exp. date _____

Signature _____

Please make check payable to "FCBA"

PLEASE SEND OR FAX THIS FORM TO:

Ann Henson
Federal Communications Bar Association
1020 19th Street, NW, Suite 325
Washington, DC 20036
Phone: 202-293-4000
Fax: 202-293-4317
E-mail: ann@fcba.org

2008 FCBA MEMBERSHIP DIRECTORY *Order Form*

Copies of the 2008 FCBA Membership Directory are available for purchase at a cost of \$55.00 for FCBA Members, \$30.00 for Law Student Members, and \$110.00 for Non-Members and in accordance with the terms set forth on this form. There is a 10% discount for orders of 10 or more Directories. **(Please add 5.75% sales tax for orders sent to D.C. addresses).**

Please note that the Directory is available solely for the personal and professional use of FCBA members and other purchasers of the Directory. All uses for commercial purposes are prohibited without prior written approval of the FCBA's Executive Director. By purchasing the Directory and signing below, purchaser agrees that they will not, and will not knowingly authorize or permit others to, duplicate, reproduce or copy the information printed in the Directory without the express written consent of the Association.

Please send me _____ copy(ies) of the 2008 FCBA Membership Directory.

Signature (required) _____

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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: ann@fcba.org

The FCBA membership list also is available at a cost to FCBA members of \$400.00 for the first order and \$700 for each additional order (per calendar year), and \$700.00 for non-members per order. Please call the FCBA office, (202) 293-4000, for further details.

Calendar

August 5	Young Lawyers Committee Happy Hour
August 6	FY 2009 Co-Chairs Kick-off Meeting and Lunch
August 24	Volunteer for McKenna's Wagon
August 31	Volunteer for Martha's Table
September 5	Silicon Flatirons/Rocky Mountain Chapter Seminar on Deregulation Revisited: A Tribute to Fred Kahn
September 25	Executive Committee Retreat
October 17	Silicon Flatirons/Rocky Mountain Chapter Seminar on The Structure of the Video Programming Industry: Revolution, Regulation, or the Return of Yesterday's Battles?
November 6	19th Annual Charity Auction
November 18	22nd Annual Chairman's Dinner
May 1-3	FCBA Annual Seminar at Colonial Williamsburg, VA

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 Kerry Loughney, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, or **EMAIL** it to kerry@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 Kerry Loughney, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101. In addition, please email the text of the ad to kerry@fcba.org. Listings and payment received by the 15th 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).

LAW FIRM / CORPORATE

8.08.1

Senior Counsel, Local Government & Regulatory Affairs, for Cablevision to play a major role in the development, coordination, and implementation of legal and policy issues involving local and regulatory matters that impact Cablevision's regulated businesses. The Counsel will be responsible for implementing policy in close coordination with our state and federal regulatory and legislative priorities, business objectives and strategic goals.

RESPONSIBILITIES INCLUDE:

- Developing options and recommending positions and strategies on policy issues commissions.
- Assisting in the implementation of local, legislative and regulatory policies and strategies.
- Presenting data for Company senior executives
- Coordinating the Company's advocacy positions on key regulatory proceedings affecting the Company at the local, state and Federal commissions.
- Assuming leadership role for Corporate Government Affairs on key local franchising matters and assisting in the negotiation of telecommunications franchises where necessary.

- Coordinating the regulatory filings associated with requests for consent to acquire or sell cable systems.
- Drafting regulatory pleadings & position papers, etc. in support of the company's position on a broad range of issues.

QUALIFICATIONS

- At least six years of legal experience as counsel on federal, state or local cable or video policy issues and/or legal experience in cable franchising.
- Understanding of federal, state, and local legislative, regulatory and political processes, background in bill drafting and review.
- Experience in preparing and presenting legal issues to high-level officials.
- Knowledge of federal, state, and local laws and regulation with an emphasis on cable/video issues; legal/subject matter expertise in cable, telecommunications, broadband, VOIP and emerging policy issues (e.g., network neutrality).
- Ability to effectively communicate the positions of the company in writing, including the drafting of letters and legal memorandum.

Send resumes to: Execrec@Cablevision.Com