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**April 2014** 

Newsletter of the Federal Communications Bar Association



The Omni Homestead Resort

### 2014 FCBA Annual Seminar to be held at The Omni Homestead Resort on May 16 - 18

The 2014 Annual Seminar will be at The Omni Homestead Resort, May 16-18 in Hot Springs, Virginia. The Annual Seminar Committee has planned a great program and has invited the top government and industry experts to discuss and update you on the latest hot topics affecting telecommunications today.

To register for the seminar and activities, use the form on page 30.

To make room reservations, use the form on page 31.

For seminar sponsorship opportunities, use the form on page 32.

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# **18th Annual FCBA Foundation Golf Tournament** to be held Tuesday, June 3

You've spoken! The feedback we received to the changes for last year's Tournament were so overwhelmingly positive we've decided to do it all again!

On Tuesday, June 3, we will return to Westfields Golf Club - a course that all of last year's participants found to be a remarkably beautiful and pristine track, especially for a course so close to downtown DC. Westfields Golf Club, just off Route 66 in Clifton, VA, is a Fred Couples designed course and one of best in the area -- while still being fun and accessible for the high-handicappers among us. Westfields is also considered one of the best places in the area to hold a golf outing, combining a great course with terrific hospitality.

Additionally, we will be repeating last year's well received change by holding the CONTINUED ON PAGE 2

# This Month's **Key Events**

#### FCBA/ABA/NAB 33rd **Annual "Representing Your Local Broadcaster**"

Date/Time: Sunday, April 6, 8:30 a.m. – 5:30 p.m. **Location:** The Encore Hotel, Las Vegas, Nevada

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#### Wireless

#### **Telecommunications Committee CLE** Seminar

Date/Time: Thursday, April 17, 6:00 – 8:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW Topic: Advancing the Advanced Wireless Services Auction: Next Steps in Law, Policy, and Implementation

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#### FCBA/ABI FCC/ **Bankruptcy Mini Conference**

Date/Time: Thursday, April 24, 8:15 a.m. – 1:00 p.m. **Location:** The J.W. Marriott Hotel, 1331 Pennsylvania Avenue, NW

**Topic:** The Intersection of the FCC and Bankruptcy Law

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#### **Young Lawyers** Committee **Happy Hour**

Date/Time: Thursday, April 24, 6:00 – 8:00 p.m. **Location:** Co Co Sala, 929 F Street, NW SEE PAGE 7

#### **Young Lawyers Committee Brown Bag** Lunch

Date/Time: Tuesday, April 29, 12:00 – 1:30 p.m. **Location:** Federal Communications Commission, 445 12th Street, SW **Topic:** Part law, part policy, part political savvy — come

learn what it means to be a legal advisor at the FCC and hear about others' career paths.

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### **FOUNDATION** News



Westfields Golf Club

#### **GOLF TOURNAMENT**

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Tourney on Tuesday afternoon in order to allow our workaholic friends to get in a few hours at the office (or plenty of time to warm up on the range). Shotgun start will be at 1:00 p.m. followed by a delicious post-round Buffet BBQ Dinner.

As always, all of the proceeds from the Tournament go straight to the FCBA Foundation to support its wonderful programs, including the Scholarship programs and the Summer Legal Internship program. Over the years, the Tournament has raised nearly \$400,000 for the FCBA Foundation charities, all under the auspices of getting together with your colleagues for an enjoyable day of golf! Our goal and motto: "What a great concept: Do good and have fun at the same time!" We hope you can join us this year!

See registration details on page 35 of this newsletter and register today! The Golf Committee always welcomes prize donations or those interested in helping out. Please contact Glenn Reynolds at greynolds@ustelecom.org if you are interested in helping!

### Volunteer at Martha's Table on April 27

On Sunday, April 27 from 10:00 a.m. -1:00 p.m., the FCBA will be preparing and distributing food at the FCBA Foundation's partner charity, Martha's Table. The FCBA has been meeting monthly to volunteer at Martha's Table for many years. Martha's Table feeds hundreds of homeless adults and children on the streets of Washington daily, through its mobile soup kitchen. 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.

Please mark your calendars, bring your friends and children, and participate in this great volunteer effort. If you are able to volunteer, please contact **Howard Weiss** at 703-812-0471, **weiss@fhhlaw.com**.

The FCBA volunteers on the **last Sunday of every month**, so mark your calendars now!



FEDERAL COMMUNICATIONS BAR ASSOCIATION

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1020 19th Street, N.W.

Suite 325

Washington, D.C. 20036-6101
Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: fcba@fcba.org
Website: http://www.fcba.org

#### **OFFICERS**

Joseph M. Di Scipio President

David A. Gross President-Elect

Monica S. Desai *Secretary* 

Lee G. Petro Assistant Secretary

Christopher J. Wright Treasurer

Robert E. Branson Assistant Treasurer

#### **EXECUTIVE COMMITTEE**

Ann West Bobeck Kyle D. Dixon Erin L. Dozier Julie M. Kearney John T. Nakahata Melissa Newman Laura H. Phillips Thomas C. Power Natalie G. Roisman Jennifer Tatel

#### **CHAPTER REPRESENTATIVES**

David A. Konuch Michele K. Thomas

# DELEGATE TO THE AMERICAN BAR ASSOCIATION

M. Anne Swanson

# YOUNG LAWYERS REPRESENTATIVE

Brendan T. Carr

#### **FCBA STAFF**

Stanley D. Zenor (**stan@fcba.org**) *Executive Director* 

Kerry K. Loughney (**kerry@fcba.org**) *Director of Member Services* 

Wendy Jo Parish (**wendy@fcba.org**) *Administrative Assistant* 

Editor – Kerry Loughney

Photographer – Mark Van Bergh www.markvanbergh.com

# Nominations Committee Presents Slate of Candidates

Pursuant to Article V, Section 21 of the Association's By-Laws, the FCBA Nominations Committee has nominated the persons set forth below as candidates for the positions shown for terms beginning July 1, 2014. Pursuant to Article IV, Section 2 of the By-Laws, this year the membership will elect a President-Elect, a Secretary, an Assistant Secretary, an Assistant Treasurer, a Chapter Representative, three (3) individuals to the Executive Committee for three-vear terms, three (3) individuals to the Nominations Committee for two year terms, and four (4) individuals as Trustees of the FCBA Foundation for three year terms.

#### **OFFICERS**

President-Elect Christopher J. Wright Wiltshire & Grannis LLP

Secretary
Lee G. Petro
Drinker Biddle & Reath LLP

Assistant Secretary
Julie M. Kearney

Consumer Electronics Association

Assistant Treasurer Erin L. Dozier

National Association of Broadcasters

# CHAPTER REPRESENTATIVE TO EXECUTIVE COMMITTEE

**LaVonda N. Reed-Huff**Syracuse University College of Law

**EXECUTIVE COMMITTEE** (Three to be elected for three-year

**Mark W. Brennan** Hogan Lovells US LLP

terms.)

Brendan T. Carr

Federal Communications Commission

**Christine M. Crowe** Wilkinson Barker Knauer, LLP

William Barner Rinauer, EEr

**Stacy Robinson Fuller** DIRECTV

**Matthew Gerst** CTIA - The Wireless Association

**Angela Kronenberg** COMPTEL

#### **NOMINATIONS COMMITTEE**

(Three to be elected for two-year terms)

**Donna Epps** Verizon

**Anna Gomez** Wiley Rein LLP

**Grace Koh** 

United States House of Representatives Committee on Energy and Commerce

**Alison A. Minea** DISH Network

**Scott B. Tollefsen**Critical Alert Systems, LLC

**Richard S. Whitt** Motorola Mobility

# FCBA FOUNDATION BOARD OF TRUSTEES

(Four to be elected for three-year terms)

D. Zachary Champ

PCIA-The Wireless Infrastructure Association

Russell Hanser

Wilkinson Barker Knauer, LLP

**Mia Guizzetti Hayes** Willkie Farr & Gallagher LLP **Jennifer Holtz** 

National Telecommunications and Information Administration

Jennifer A. Schneider

Frontier Communications

Brita D. Strandberg
Wiltshire & Grannis LLP

**Joshua S. Turner** Wiley Rein LLP

**Howard M. Weiss** Fletcher, Heald & Hildreth, PLC

Pursuant to the FCBA By-Laws, current President-Elect, **David A. Gross**, Wiley Rein LLP, will become President on July 1, 2014 and current Assistant Treasurer, **Robert E. Branson**, Verizon, will become Treasurer on July 1, 2014. In addition, **David A. Konuch**, Florida Cable Telecommunications Association, will serve a second year as a Chapter Representative.

Pursuant to Article V, Section 21(c) of the FCBA By-Laws, additional nominations of candidates for the positions listed above may be made by Petition. The signatures of at least twenty-five (25) members of the FCBA must support each candidate nominated by Petition. Nominating Petitions must be submitted no later than Wednesday, April 4, 2014 to Stanley D. Zenor, FCBA Executive Director, 1020 19th Street, NW, Suite 325, Washington, DC 20036.

Election materials and instructions for electronic voting will be sent to all members eligible to vote around May 1, 2014. The election results will be announced during the FCBA Annual Meeting at the June Luncheon.

Special thanks to members of the this year's Nominations Committee: Laura H. Phillips (Chair); Parul Desai; Justin L. Faulb; Paige K. Fronabarger; Kevin Goldberg; Donna C. Gregg; David A. Gross; Laura Stefani; Megan Anne Stull; Peter A. Tenhula; Lawrence A. Walke; Ryan Wallach; and Lisa A. Youngers.

# Thursday, April 17, 6:00 – 8:15 p.m. Advancing the Advanced Wireless Services Auction: Next Steps in Law, Policy, and Implementation

The FCBA **Wireless Telecommunications Committee** will host a CLE on **Thursday**, **April 17** from **6:00 – 8:15 p.m.** entitled "Advancing the Advanced Wireless Services Auction: Next Steps in Law, Policy, and Implementation." This program will be held at Wiley Rein LLP, 1776 K Street. NW.

This CLE will explore the views of stakeholders in industry and government on the legal, policy, and implementation questions that must be answered to deliver on the promise of one of the largest spectrum auctions the Federal Communications Commission ("FCC") has ever conducted. This auction will make available multiple swaths of spectrum that the FCC has grouped together and labeled AWS-3, the majority of which were identified in Section 6401

of the Middle Class Tax Relief and Job Creation Act of 2012 ("Spectrum Act"). This law directs the FCC to allocate a number of specific bands of spectrum for flexible commercial use. The FCC has moved to auction those bands among others in the 2013 Advanced Wireless Services Notice of Proposed Rulemaking ("AWS-3 NPRM"). In the AWS-3 NPRM, the FCC identified several key bands of spectrum for reallocation, including the 1695-1710 MHz, 1755-1780 MHz, 2020-2025 MHz, and 2155-2180 MHz bands. To meet the Spectrum Act's deadline for licensing the spectrum by February 2015, the FCC, the National Telecommunications and Information Administration (NTIA), and the wireless industry have been hard at work to repurpose these critical spectrum bands to meet consumers' mobile broadband demand, while facilitating continued government operations.

To register, click here or go to the FCBA Website – Calendar of Events or use the form on page 29.

Agenda

6:00 – 6:05 p.m. WELCOME AND INTRODUCTIONS

# 2014-2015 Committee and Chapter Co-Chairs

President-Elect **David Gross** is beginning the process of identifying FCBA Committee and Chapter Co-Chairs for this coming year (July 1, 2014 – June 30, 2015). Please contact him (**dgross@wileyrein.com**) and Kat Scott (**kscott@wileyrein.com**) by **Friday, April 11** if you are interested in serving, or would like to suggest someone else who might be interested.

### Charity Auction Beneficiary Application Now Available

The Auction Committee is now accepting applications from local charities to be considered as beneficiary of the 25th Annual FCBA Charity Auction. The application is available at <a href="http://www.fcba.org/wpcontent/uploads/2014/02/Auction-Beneficiary-Application-2014.doc">http://www.fcba.org/wpcontent/uploads/2014/02/Auction-Beneficiary-Application-2014.doc</a> and should be received by the FCBA by U.S. Mail, fax, or email no later than Friday, May 2, 2014.

#### 6:05 - 7:05 p.m.

#### **VIEWS FROM GOVERNMENT**

The first panel will feature senior government officials with significant roles in spectrum policymaking. Speakers will discuss government perspectives on the role of sharing in addressing the need for additional spectrum.

#### Moderator:

**Scott Bergmann**, Vice President, Regulatory Affairs, CTIA-The Wireless Association

#### Speakers:

**Shawn Chang**, Senior Democratic Counsel, House Committee on Energy and Commerce

**Brian Regan**, Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission

**David Redl**, Counsel, House Committee on Energy and Commerce **Peter Tenhula**, Senior Advisor,

Department of Commerce, National Telecommunications and Information Administration

Other Speakers Invited

#### 7:05 – 7:15 p.m. BREAK

#### 7:15 – 8:15 p.m.

# VIEWS FROM INDUSTRY AND CONSUMERS

In this panel, we will hear perspectives from speakers active in the wireless industry with interest in the AWS-3 auction and repurposing of spectrum to meet mobile broadband demand.

#### Moderator:

**David Goldman**, Senior Legal Advisor, Office of FCC Commissioner Jessica Rosenworcel

#### Speakers:

**Stacey Black**, Vice President - Federal Regulatory; External and Legislative Affairs. AT&T

Jeff Blum, Senior Vice-President and Deputy General Counsel, DISH Charla Rath, Vice President - Wireless Policy Development, Verizon Other Speakers Invited

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# Monday, May 5, 6:00 – 8:15 p.m. NSA Telephonic and Electronic Surveillance: The Executive, Legislative and Judicial Drivers of Reform and Likely Outcomes

The FCBA **Privacy and Data Security Committee** will hold a rescheduled CLE on **Monday, May 5** from **6:00 – 8:15 p.m.** entitled "NSA Telephonic and Electronic Surveillance: The Executive, Legislative and Judicial Drivers of Reform and Likely Outcomes." This program will be held at Drinker Biddle & Reath LLP, 1500 K Street, NW, Conference Room 2B.

On January 17, 2014, under pressure from domestic and foreign critics, including German Chancellor Angela Merkel, President Obama has announced structural reforms to the surveillance activities of the NSA, including storage and retention of telephone records data, and introduction of a new adversary process to FISA court decisionmaking. The President's speech presaged the Privacy and Civil Liberties Oversight Board's ("PCLOB") Jan. 23, 2014 report concluding that the Section 215 bulk medadata collection program is unlawful. Since then, Congress has also introduced new legislation to reform the bulk metadata collection program has NSA and other law enforcement agency authority to conduct surveillance of "foreign communications" under the Foreign Intelligence Surveillance Act (FISA) and the USA Patriot Act. In the meantime, the U.S. District Court for the District of Columbia has held the NSA's metadata collection program unconstitutional which the Justice Department has appealed to the DC Circuit. This CLE will examine judicial review of constitutionality of the NSA metadata collection program, and possible outcomes of the appeal process, pending Obama Administration/congressional reforms, and the likely short term and longer term scenarios for reform due to these various pressures on existing surveillance programs. This CLE will also examine how private industry, including carriers and ISPs, privacy advocates and the law enforcement community have been responding to these potential reforms.

To register, click here or go to the FCBA Website – Calendar of Events or use the form on page 29.

Agenda

6:00 – 6:05 p.m. WELCOME AND INTRODUCTION

#### 6:05 – 7:05 p.m. THE KLAYMAN V. OBAMA INJUNCTION ORDER

What is the current legal status of Section 215 of the Patriot Act and NSA bulk telephone data collection? Will reforms be driven by the courts, executive reform or by congressional legislation? What reforms to NSA Section 215 data collection and the FISA process are likely to follow from President Obama's January 17 speech and to the PCLOB report? What does the latest congressional legislation provide, and where do the Administration's and Congress' proposed reforms coincide? Where do they diverge?

#### Moderator:

**David Valdez**, Federal Communications Commission and Co-Chair, FCBA Privacy and Data Security Committee

#### Speakers:

**Allan Friedman**, Visiting Scholar, Cyber Security Policy and Research Institute, George Washington University

Amie Stepanovich, Senior Policy Counsel, Access (former Director of the Domestic Surveillance Project at the Electronic Privacy Information Center)

**Marc J. Zwillinger**, Founding Partner, ZwillGen PLLC (former cybercrime prosecutor with the U.S. Department of Justice and FISA practitioner)

7:05 – 7:15 p.m. BREAK

7:15 - 8:15 p.m.
OBAMA ADMINISTRATION
AND CONGRESSIONAL
REFORM INITIATIVES OF
DOMESTIC AND FOREIGN
SURVEILLANCE

How are carriers, ISPs and privacy advocates responding, publicly or privately? What are the various interests that carriers and ISPs must take into account in staking out positions with the U.S. Government on law enforcement access to telephone and Internet data? What is the position of the law enforcement community on substantive reforms of FISA and specifically the bulk metadata collection program? Has it evolved? Will enhanced privacy protection mean a diminution of national security protection? Predictions: What reforms are likely in the near term?

#### Moderator:

**Douglas G. Bonner**, Partner, Drinker Biddle & Reath LLP and Co-Chair, FCBA Privacy and Data Security Committee

Speakers:

**Kevin Bankston**, Policy Director, New American Foundation, Open Technology Institute (*Invited*)

**Michael Sussman**, Partner, Perkins Coie, LLP (*Invited*)

**Marc J. Zwillinger**, Founding Partner, ZwillGen PLLC

# Thursday, May 8, 6:00 – 8:15 p.m. "Conflicts of Interest in Buy/Sell Transactions: How to Spot Them and Avoid Them"

The FCBA **Professional Responsibility Committee** will hold a CLE on **Thursday**, **May 8** from **6:00 – 8:15 p.m.** entitled "Conflicts of Interest in Buy/Sell

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### **CLE** Seminars

#### MAY 8 CLE

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Transactions: How to Spot and Avoid Them." This program will be held at a location to be determined.

Panel One will look at "Best Practices in Undertaking Transactional Representation." Panel Two will explore "How to Avoid or Remedy Representational Conflicts in Buying and Selling Communications Assets." The FCBA will be seeking approval for 2.0 ethics credits by the Virginia Bar.

To register, click here or go to the FCBA Website – Calendar of Events or use the form on page 29.

# Monday, May 12, 6:00 – 8:15 p.m. Transition to All IP Networks: Update on Issues and Progress at State Commissions

The FCBA **State and Local Practice Committee** will host a CLE on **Monday**, **May 12** from **6:00 – 8:15 p.m.** entitled "Transition to All IP Networks: Update on Issues and Progress at State Commissions." This program will be held at a location to be determined.

State commissioners, including Pennsylvania PUC Commissioner James H. Cawley, and leading industry representatives will explore numerous issues for states as the FCC and industry transition from legacy analogy copper networks to all-IP networks. What are the latest developments? What is coming next? What are the implications for interconnection agreements, universal service, consumer protection, low income customers, and rural customers beyond the reach of today's digital networks?

To register, click here or go to the FCBA Website – Calendar of Events or use the form on page 29.

# Thursday, May 22, 6:00 – 8:15 p.m. Repacking Broadcasters: A Technical and Legal Discussion

The FCBA **Engineering and Technical Committee** will host a CLE on **Thursday**, **May 22** from **6:00 – 8:15 p.m.** entitled "Repacking Broadcasters: A Technical and Legal Discussion." This program will be held at a location to be determined.

A critical component in the Broadcast Incentive Auction will be the repacking of the television broadcasters that remain on the air after the auction. This CLE will explore the legal, technical, and economic issues surrounding broadcaster participation and the repacking of remaining broadcasters. Attorneys, engineers, and economists from the wireless and broadcasting industries will share their thoughts and opinions.

For more information, contact Kelly Williams, **kwilliams@nab.org** or Chris Wieczorek, **chris.wieczorek@t-mobile.com**.

To register, click here or go to the FCBA Website – Calendar of Events or use the form on page 29.

# Thursday, May 29, 6:00 - 8:00 p.m. Net Neutrality Redux: What Should the FCC Do?

The FCBA Wireline Committee will hold a CLE on Thursday, May 29 from **6:00 – 8:00 p.m.** on the raging debate at the FCC and among industry and public interest stakeholders on what the Wheeler FCC should and will do next on Net Neutrality, in light of the D.C. Circuit's decision largely striking down the Commission's Net Neutrality rules but upholding its authority to regulate broadband services under section 706 of the Telecommunications Act. The CLE will feature perspectives from leading legal and policy experts regarding Net Neutrality. Further details and an agenda with speakers will be forthcoming soon.

To register, click here or go to the FCBA Website – Calendar of Events or use the form on page 29.

# **Young Lawyers Committee Co-Chair Election and Planning Meeting**

The Young Lawyers Committee co-chair election will be held on **Tuesday, May 27, 2014** at **12:15 p.m.** at Covington & Burling LLP, 1201 Pennsylvania Avenue, NW. After the election, the semi-annual YLC planning meeting will be held. One YLC co-chair is elected annually to serve a two-year term. All other volunteer roles with the YLC are appointed.

No proxy votes are allowed, so be sure to attend. All are welcome, but voting is limited to current YLC members. Nominations should be emailed to **Justin Faulb** (<code>jfaulb@nab.org</code>) and <code>Lindsey Tonsager</code> (<code>ltonsager@cov.com</code>) no later than Thursday, May 22. Self-nominations are welcome.

# **COMMITTEE AND CHAPTER** Events

#### **Engineering & Technical Practice Committee**

**Event:** CLE Seminar

Date/Time: Thursday, May 22, 6:00 -

Location: TBD

**Topic:** Repacking Broadcasters: A Technical

and Legal Discussion

For more information: See page 6. To register: Click here or go to the FCBA Website - Calendar of Events or use the form on page 29.

#### **International Telecommunications Committee**

**Event:** Reception in honor of Ambassador

Daniel A. Sepulveda

Date/Time: Wednesday, May 21, 6:00 -

7:30 p.m.

**Location:** Wiley Rein LLP, 1776 K Street,

NW

**More information:** Ambassador Daniel A. Sepulveda serves as Deputy Assistant Secretary of State and U.S. Coordinator for International Communications and Information Policy in the State Department's Bureau of Economic and Business Affairs). In this role, Ambassador Sepulveda leads and coordinates the Department's positions on communications and information policy issues. Please join the International Telecommunications Committee at a reception to meet Ambassador Sepulveda.

Special thanks to the event

we have needed in the past.

Loughney, kerry@fcba.org.

**sponsors:** EchoStar Corporation; Inmarsat

Inc.; Intelsat Corporation; Iridium; Lockheed Martin Corporation; SES S.A.; and Sprint. To register: Click here or go to the FCBA Website - Calendar of Events or use the form

#### **Privacy and Data Security Committee**

**Event:** CLE Seminar

**Date/Time:** Monday, May 5, 6:00 – 8:15 p.m. **Location:** Drinker Biddle & Reath LLP, 1500 K Street, NW, Conference Room 2B **Topic:** NSA Telephonic and Electronic Surveillance: The Executive, Legislative and Judicial Drivers of Reform and Likely Outcomes

For more information: See page 5. To register: Click here or go to the FCBA Website - Calendar of Events or use the form on page 29.

#### **Professional Responsibility Committee**

**Event:** CLE Seminar

Date/Time: Thursday, May 8, 6:00 –

8:15 p.m.

Location: TBD

**Topic:** Conflicts of Interest in Buy/Sell Transactions: How to Spot and Avoid Them For more information: See page 5. **To register: Click here** or go to the **FCBA** Website - Calendar of Events or use the form

on page 29.

**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

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 Webinar services. 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

#### **State and Local Committee**

**Event:** CLE Seminar

Date/Time: Monday, May 12, 6:00 -

8:15 p.m. Location: TBD

**Topic:** Transition to All IP Networks: Update on Issues and Progress at State Commissions For more information: See page 6. To register: Click here or go to the FCBA Website - Calendar of Events or use the form

on page 29.

#### **Wireless Telecommunications Committee**

**Event:** CLE Seminar

Date/Time: Thursday, April 17, 6:00 -

**Location:** Wiley Rein LLP, 1776 K Street,

**Topic:** Advancing the Advanced Wireless Services Auction: Next Steps in Law, Policy, and

Implementation

For more information: See page 4. To register: Click here or go to the FCBA Website – Calendar of Events or use the form

on page 29.

#### **Wireline Committee**

**Event:** CLE Seminar

Date/Time: Thursday, May 29, 6:00 -

8:00 p.m. Location: TBD

**Topic:** Net Neutrality Redux: What Should

the FCC Do?

For more information: See page 6. To register: Click here or go to the FCBA Website - Calendar of Events or use the form

on page 29.

#### **Young Lawyers Committee**

**Event:** Happy Hour

**Date/Time:** Thursday, April 24, 6:00 – 8:00

**Location:** Co Co Sala, 929 F Street, NW **For more information:** Contact Lindsey Tonsager at **ltonsager@cov.com** or Justin Faulb at **ifaulb@nab.org**.

To RSVP: Click here or go to the FCBA

Website - Calendar of Events.

**Event:** Brown Bag Lunch

Date/Time: Tuesday, April 29, 12:00 -

1:30 p.m.

**Location:** Federal Communications Commission, 445 12th Street, SW

**Topic:** Part law, part policy, part political savvy — come learn what it means to be a legal advisor at the FCC and hear about others'

career paths.

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# **2014 FCBA ANNUAL SEMINAR**

#### **ANNUAL SEMINAR**

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#### **PROGRAM AGENDA**

Friday, May 16

1:00 - 5:30 p.m. REGISTRATION

3:00 – 4:00 p.m. NETWORKING TIME

Sponsored by Wilkinson Barker Knauer, LLP

4:00 p.m.

SEMINAR WELCOME

FCBA President Joe Di Scipio

4:05 - 5:00 p.m.
THE INTERNET OF THINGS

Communication left to its own devices: A conversation about the consumer convenience and challenges regarding new applications of internet connectivity.

Panelists:

**Tim Tobin**, Hogan Lovells US LLP *Others TBA* 

5:00 - 6:00 p.m.

A CONVERSATION WITH THE COMMISSIONERS

**Commissioner Mignon Clyburn**, FCC **Commissioner Michael O'Rielly**, FCC

6:30 – 8:30 p.m.
OPENING RECEPTION &
FAMILY BBQ DINNER

8:30 - 10:00 p.m. BINGO

9:00 p.m. -? KARAOKE

Sponsored by Hogan Lovells US LLP

Saturday, May 17

7:00 - 10:00 a.m. BREAKFAST

7:30 - 11:00 a.m. **REGISTRATION** 

8:00 - 9:00 a.m.

FROM THE HILL: LOOKING FORWARD

Senior staff from both parties in the Senate and House discuss the outlook for telecom legislation in the next six months, next year, and beyond.

Panelists:

John Branscome, Senate Committee on Commerce, Science and Transportation David Quinalty, Senate Committee on Commerce, Science and Transportation David Redl, House Energy and Commerce Committee

**Margaret McCarthy**, House Energy and Commerce Committee

9:00 - 9:30 a.m.

THE VIEW FROM THE FRONT LINES AT NTIA: A CONVERSATION WITH THE ADMINISTRATOR

**Lawrence E. Strickling**, Assistant Secretary for Communications and Information, Department of Commerce

9:30 – 9:45 a.m.

Sponsored by Frontier Communications

9:45 - 10:45 a.m.

ARE THEY LISTENING, OR IS THERE A LEAK?

We have had almost a year to reflect on Edward Snowden's leaks regarding NSA's surveillance activities. This panel will feature a wide range of perspectives on the effects the disclosures have had on privacy and civil liberties, national security, Internet governance, and the government's relationship to citizens.

Panelists:

Julia Angwin, Pro Publica
Mary Ellen Callahan, Jenner & Block
Clete Johnson, Chief Counsel for
Cybersecurity, FCC
David Medine, Chair, Privacy and Civil
Liberties Oversight Board
Ken Wainstein, Cadwalader,
Wickersham & Taft LLP

10:45 – 11:00 a.m. BREAK 11:00 - 12:00

COMPETITION, COMPETITION, COMPETITION ... AND OTHER PRIORITIES: A DISCUSSION WITH CHAIRMAN WHEELER'S SENIOR STAFF

Panelists:

Jonathan Chambers, Chief, Office of Strategic Planning, FCC Gary Epstein, Chief of the Incentive Auction Task Force, FCC Roger Sherman, Chief, Wireless Telecommunications Bureau, FCC Julie Veach, Chief, Wireline Competition Bureau, FCC

Afternoon
LUNCH ON YOUR OWN

1:00 p.m.

**GOLF TOURNAMENT** 

Sponsored by Verizon Communications

1:00 p.m.

**TENNIS TOURNAMENT** 

Sponsored by Wiltshire & Grannis LLP

2:00 p.m.

GUIDED CASCADE'S GORGE HIKE

6:00 p.m.

HAPPY HOUR FOR ALL ATTENDEES

Hosted by the YLC

6:00 - 6:30 p.m.

KIDS BANQUET REGISTRATION

6:30 - 10:00 p.m. KIDS BANQUET

7:00 p.m. RECEPTION

7:30 p.m. **DINNER** 

10:00 p.m.

DANCING AND CONVERSATIONS

Sponsored by Wilkinson Barker Knauer, LLP

CONTINUED ON NEXT PAGE

# **2014 FCBA ANNUAL SEMINAR**

#### **ANNUAL SEMINAR**

CONTINUED FROM PAGE 8

Sunday, May 18

7:00 - 10:00 a.m. BREAKFAST

# WHAT'S NEW AT THE HOMESTEAD

Since the FCBA was last at the Homestead, there have been some significant changes throughout the resort.

The **Spa at the Homestead** has been completely renovated and expanded and features new treatment rooms, an Aqua Thermal Suite, and the Spa Garden. In the Spa Garden, dip into the natural hot springs or relax your muscles in a naturally-pressurized geothermal deluge shower. The river reflexology walk offers a one-of-a-kind massage for your feet with smooth stones amid a small stream of natural spring water. Poolside cabanas, a spring-fed pool and whirlpool and Finnish-style sauna are other key features of this exclusive garden experience.

The Spa offers a variety of signature services including the Southern Harvest Apricot and Sweet Vanilla Wrap, 1766 Mineral Bath, and Mineral Springs Mud Wrap. Virginia's classic spa also offers soothing and restorative massages, skin care and body therapies, and a fitness area with cardio/weight room and movement therapy rooms for yoga, cycling, and other classes. The Spa Garden is open to adults only, ages 18 and older. For more information on the Spa at the Homestead visit http:// www.thehomestead.com/spa. A word of warning, the Spa always seems to be completely booked Friday and Saturday during the seminar. Reservations for the Spa should be made as far in advance as possible to ensure availability by calling 540-839-1776.

**Allegheny Springs** has expanded the outdoor pool complex into a two-acre water park fueled by water from our native springs. Experience the exhilarating

CONTINUED ON NEXT PAGE



Mini Cascades Miniature Golf Course



**Allegheny Springs** 



Water slides in Allegheny Springs

### Make Your Reservations at The Homestead by April 24th

The FCBA's discounted room rates at The Homestead are guaranteed until April 24th. After April 24th, room rates may increase based on room availability and demand. Note that the special FCBA room rates include the 15% resort fee normally charged to guests and breakfast each morning in the main dining room.

# **Annual Seminar Ride Share — Room Share Program**

The Young Lawyers Committee is once again helping to coordinate carpooling and room sharing for those interested in attending the FCBA Annual Seminar. If you are worried that you won't know anyone else at the Seminar or are interested in helping break up the expenses or share driving duties, please reach out to the YLC for more information. If you are a government employee, you should contact **Kristine Fargotstein** at **Kristine.Fargotstein@fcc.gov**. If you are not a government employee, you should sign-up for the YLC's carpool list and/or room share list by emailing **Lindsey Tonsager** at **ltonsager@cov.com**.

# **2014 FCBA ANNUAL SEMINAR**

#### **ANNUAL SEMINAR**

CONTINUED FROM PAGE 9

thrills of Mountain Rush, with two 100-foot water slides or enjoy a leisurely ride along our 400-foot lazy river. Kids love the water play zone and sandy beach while the large family pool is ideal for everyone. A cozy whirlpool provides an intimate haven adjacent to the family pool. Private cabanas, with exclusive services and amenities, are available for an additional fee. Allegheny Springs will be open Saturday and Sunday during the seminar.

**Outdoor Activities** at the Homestead can be as leisurely or as fast paced as you desire. There is something for everyone, including the new Mini Cascades Miniature Golf Course, horseback riding and carriage rides, a world-class shooting club, fly fishing with Orvis-endorsed instructors, miles of scenic hiking trails, indoor and outdoor pools, falconry, Segway tours, kayaking & canoeing, the Gun Club, paintball, archery, mountain biking, and more.

**Dining** at the Homestead has changed as well. Although all meals but Saturday lunch are included in your seminar registration, you may find time to visit one of the resort's establishments serving

food and drink. Breakfast on Saturday and Sunday will be the famous brunch in the main dining room. Saturday you may want to visit the newly renovated Jefferson's Restaurant and Bar, the Casino Restaurant, Martha's Market, or enjoy in-room dining.

KidsClub and Babysitting at the Homestead provide special activities for your children while you are in the seminar sessions, at the spa, playing golf, or just enjoying the tranquility of the Homestead. For kids between the ages of 3 and 12. The Homestead's KidsClub is brimming with activity. Count on hours of supervised fun guaranteed to create lasting memories. Kids should wear comfortable, weather-appropriate clothes and shoes. Please also have them bring a bathing suit, sweater, or jacket. Children may be divided into two age groups: 3-7 and 8-12, and all participants must be potty-trained (no pull-ups or diapers). Pre-registration for both day and night programs is strongly encouraged. Need a babysitter? Not a problem at the Homestead. Babysitting is provided in the comfort of your room with the option for your sitter to take the children out and about. The first child is \$18 per hour and each additional sibling is \$5 per hour. A 24-hour advanced

registration is required, and all requests are handled based on availability of services. Babysitting requires a two-hour minimum and a nominal fee applies. Babysitting observes a 24-hour cancellation policy or applicable fee. To make arrangements or for questions, please contact the Homestead Babysitting Coordinator at 540-839-7956. If you will want a babysitter anytime during the seminar, call and make those arrangements well in advance of your arrival. The demand for babysitters often exceeds the supply during the seminar.

Make your plans for the Annual Seminar now. Visit the Homestead's website for detailed information on the types of rooms available and on all the activities available for your enjoyment at <a href="http://www.thehomestead.com">http://www.thehomestead.com</a>. Call or fax your room reservation in to make certain you get just the room you want. Call 540-839-1766 to make Spa appointments, to schedule that extra round of golf on Friday or Sunday, to make reservations for the KidsClub, to schedule a babysitter, or to schedule any of the other resort activities.

Make your plans now to join your colleagues for a great weekend at the 2014 Annual Seminar!

### **Special Thanks to our Annual Seminar Sponsors!**

\*(as of 3-31-14)

#### GOLD

AT&T Services, Inc.
Brownstein Hyatt Farber Schreck
CenturyLink
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Cox Enterprises, Inc.
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Kellogg, Huber, Hansen, Todd, Evans
& Figel, P.L.L.C.
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National Association of Broadcasters
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Time Warner Cable Verizon Communications Wiley Rein LLP Wiltshire & Grannis LLP

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#### **BRONZE**

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#### **ACTIVITY SPONSORS**

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Friday Night Bingo AT&T Services, Inc.

Friday Night Karaoke Hogan Lovells US LLP

Saturday AM Break Frontier Communications

Golf Tournament
Verizon Communications

Tennis Tournament Wiltshire & Grannis, LLP

Saturday Evening Dance Wilkinson Barker Knauer, LLP

### **COMMITTEE AND CHAPTER News**



# Charity Auction Thank You Gathering and Check Presentation

On March 8, members of the Charity Auction and Young Lawyers Committees attended a gathering to celebrate one of the beneficiaries of the FCBA's 2013 Charity Auction: Horizons Greater Washington. At the event, FCBA members were honored to present the organization with a check representing its portion of the auction proceeds. The 2013 Charity Auction raised approximately \$140,000 to benefit both the FCBA Foundation and Horizons.

# Relations with Other Bar Associations Committee

The 2013-14 FCBA Relations with Other Bar Associations Committee is completing preparations for the first-ever *FCC/Bankruptcy Mini Conference* with the American Bankruptcy Institute (ABI), the national voluntary bar association of the bankruptcy bar. The conference will take place at the J.W. Marriott Hotel on **Thursday, April 24**, immediately prior to the start of the ABI's national convention. The FCC/Bankruptcy Mini

Conference will begin with **registration** and **breakfast at 8:15** a.m. followed by **two panel presentations and a further presentation during lunch from noon to 1:00** p.m. The program will make available **2.5** hours of CLE credit.

The lunch presentation will feature an interview and conversation on "A View from the Bankruptcy Bench on FCC-Related Issues" with the Honorable Kevin J. Carey, Judge, U.S. Bankruptcy Court for the District of Delaware and the Honorable Robert E. Gerber, Judge, U.S. Bankruptcy Court for the Southern District of New York. Bankruptcy courts for the District of Delaware and the Southern District of Delaware and the Southern District of New York historically have handled the largest telecommunications and broadcasting bankruptcies.

Each of the panel presentations will feature bankruptcy and FCC practitioners who have served as advisors on the nation's most high profile FCC related Chapter 11 proceedings and who will provide their insights into successfully navigating a Chapter 11 case involving a communications or media company. The first panel, "The Lifecycle of an FCC Regulated Entity in Chapter 11," will focus on the points of intersection of FCC and bankruptcy law from initial filings to emergence from bankruptcy. The second panel, "Bumps in the Road in the Bankruptcy of an FCC-Regulated Entity," will address particular problems

in Chapter 11 cases commenced by FCC-regulated entities. These include issues such as securing the value of FCC licenses in the face of FCC policy prohibiting liens on FCC licenses, the use of trust structures for early emergence from bankruptcy, and approaches for identifying and addressing impediments to reorganization presented by the FCC's media ownership and foreign ownership restrictions. The \$125 registration fee includes the three presentations and the two meals. Registration information is available on the FCC's website. FCBA members Jack Goodman and Wayne Johnsen joined with the Committee Co-Chairs to form the Steering Committee for the FCBA/ABI Mini Conference.

The Committee on Relations with Other Bar Associations also represents the FCBA at monthly meetings of the Voluntary Bar Leadership Group of the District of Columbia Bar and seeks to foster mutually beneficial cooperative relationships between the FCBA and its committees and other voluntary bar associations.

If you have ideas for future programs or other comments, please contact the Committee Co-Chairs, **Harry Martin** of Fletcher, Heald & Hildreth (martin@fhhlaw.com), **Jean Kiddoo** of Bingham McCutchen LLP (jean.kiddoo@bingham.com), and **John S. Logan** of Cooley LLP (jlogan@cooley.com).

# Get to Know an FCBA MEMBER

### Kathleen Abernathy, Executive Vice President, Frontier Communications

By: Laura Phillips

I recently had an enjoyable lunch with longtime FCBA member and Executive Vice President of Frontier Communications, Kathleen Abernathy. Kathleen has been an FCBA member, and held a number of appointed and



elected positions within the association, including as a past FCBA President in 1996-1997. She has enjoyed a varied and fascinating set of experiences within our legal and policy community, having worked in private practice, at the Federal Communications Commission as staffer and as a Commissioner, as well as having spent time formulating regulatory and legal policy in several prominent U.S. communications companies.

What attracted you to the field of communications?

A: I went to night school at Catholic University of America at a time where they offered some communications law course offerings but did not yet have a full-fledged program. Starting with my fourth year of law school, I noticed the law firm of Fletcher Heald and Hildreth was looking for a full-time law clerk. Up until then I hadn't really thought much about communications law as a practice area but working at Fletcher Heald, assisting with comparative hearings broadcasting and those sorts of things, I found these topics interesting. Then I was fortunate that a woman partner came into the firm who did a fair amount of telecom work. This was about the time of the AT&T divestiture and she took me on as her associate; I learned a good bit about telecom law and policy from working with her and things just progressed from there.

Tell me about your career progression and whether things have unfolded in the manner you envisioned.

I believe my career has progressed pretty much the way I hoped or envisioned, because at every stage I spent some time to think it through and made it a point to try to round out my experience. After graduating law school I had five

years in private practice and during that time, I recognized that advocacy was really my strength. I went to Comsat Corporation to get a better sense of what it might be like to work on advocacy issues in a company and my contacts within the FCBA and the FCC ended up surfacing an opportunity for me to go work at the FCC, which was another place where I could learn and build on the foundation I was developing. I feel like I benefited significantly from my time at the FCC. I particularly enjoyed working directly with and for Commissioner Jim Quello. When an opportunity came to do regulatory work for AirTouch I thought it was the next logical step to round out my experience. Later, when I was tapped to become an FCC Commissioner, all of my prior experiences helped provide a framework for success. I would say that being nominated to serve as an FCC Commissioner was an experience something like being hit by a lightning strike in terms of its probability. Looking back on it, I appreciate that there were many qualified people in the mix, and that I was fortunate to have not only the right combination of the right skills, but people supporting me as a candidate for the position. After that special time at the Commission, I went back to private practice focusing on international communications policy because I had represented the US at a number of international conferences during my time as a Commissioner. At the same time, upon leaving the Commission, I was invited to join the Frontier Communications board, and Frontier has a dynamic female CEO, whom I admired. I was then later asked to become Frontier's General Counsel and External Affairs Vice President, following a major acquisition. Today the role has been bifurcated and I concentrate on external affairs, working directly with the company's CEO, CFO and other critical decision makers. I love the interplay of regulatory policy with business strategy and working with the core business interests to chart a course of success for the company.

I have to say I am sort of amused by what seems like a not uncommon assumption that I was at the FCC for most of my career, as it's not the case. Only 7 1/2 years of my 30 years thus far in communications practice were spent at the FCC. While that was only a moment in time over the course of my career, the experiences were critical to shaping my path and providing many crucial experiences.

What is the most challenging part of your current position and why?

A: I would say working at both the state and federal level we constantly encounter historical laws and regulations that are in conflict with the state of the communications marketplace today. Frontier, like some other companies, is constrained by legacy statutes, and existing law frequently doesn't make a lot of sense in the new world order. However, the future success of the company depends on managing all our costs, including regulatory costs. So the challenge is to chart a business path that somehow works despite the legacy laws and regulations that are sometimes outdated and challenging. Part of what I do with the regulatory team is educate regulators about what drives our business -- when and how we invest, what impacts the corporate decision making process, the number of competitors in the market, what drives customer decisions. The more informed

CONTINUED ON NEXT PAGE

# Get to Know an FCBA MEMBER

#### **ABERNATHY**

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state and federal regulators are about our business and about the business of our competitors, the better the public policy results.

What are you reading now?

Well, I have a commute in to DC from Virginia and I found that books on tape is a terrific way to keep up with some books that I might not otherwise have time to read. The book I'm listening to now is "The Bully Pulpit: Theodore Roosevelt, William Howard Taft and the Golden Age of Journalism" by Doris Kearns Goodwin. It focuses a good bit on the beginnings of economic regulation in the context of the breakup of trusts and has been really informative in terms of better understanding the underpinnings of the statutory and policy regimes we have in place still today.

What surprised or impressed you most about people you've worked with and why?

I've been impressed with the people who comprise the FCBA. Many of the people you encounter while practicing law become your personal friends. I don't think that that is as common in other areas of the legal practice. There is very little animosity or polarization that results from taking opposite sides in a proceeding. The people I have worked with are smart,

dedicated, interesting and willing to help one another. It is not all about quid pro quo, it's about doing the right thing. It's just a great bunch of people.

Can you share a perspective on pitfalls to avoid or other career advice for those who are just getting started in the communications field?

There is no question that the FCBA offers an incredible opportunity for younger professionals to develop leadership skills, particularly if you are willing to work hard at whatever task may be at hand. There is a qualitative difference in "doing" versus "running" something. I think in a law firm, or a company or even in the government, a young person may simply be working on a project doing delegated pieces, and that is to be expected as a junior member of a team. The FCBA provides anyone willing to step up with a chance to actually organize a project, such as, for example, the amazing work the young lawyers do with the annual charity auction. You have the opportunity to run a project versus simply working on one and it's an opportunity to demonstrate to yourself and others your abilities and skills. You also have the ready-made opportunity to develop a professional network and chart a path with the contacts you make when participating in a significant group effort. Your network may be able to assist you with valuable insights, and sometimes even job opportunities over the longterm. So I would say as a young lawyer, you should expand your horizons and see the bigger picture beyond the four walls

of your office by taking an active part in all the FCBA has to offer.

What's something interesting about you that people are not generally aware of you are willing to share?

Years ago I encouraged my husband to ski with me and he has become even more passionate about skiing than I am. It's something we really love to do together and we try to take a ski trip at least once a year. While it can be tough to find the time to get away, I force myself to block off the time. We love the skiing in Utah, and have found the summers out there to be terrific as well.

How long have you been an FCBA member and what is the value of FCBA membership?

I have been FCBA member since 1983, my first year as a practicing lawyer. To me the value of FCBA membership includes the friendships I have formed along the way, the wonderful networking opportunities that come from attending events, the opportunity for advanced legal education in communications topics springing from CLEs and the Annual Seminar, and of course the special leadership opportunities in the FCBA that I have experienced.

Is there an FCBA member you'd like to see profiled in future columns? If so, please contact **Laura Phillips** at **laura**. **phillips@dbr.com**.

# **Volunteers Needed for Young Lawyers Committee Law School Outreach Program**

It is time once again for the FCBA Young Lawyers Committee's annual law school outreach initiative. The goal of the initiative is to reach out to law students and introduce them to the FCBA and careers in communications law through sponsoring career panels at various law schools. We are currently looking for volunteers to speak on panels and help organize some events.

Career panels are being planned at the following law schools: American, Catholic, Colorado, Georgetown, George Mason, George Washington, Howard, Syracuse, and UDC. Please contact **Joshua Bercu** (**JBercu@wbklaw.com**) and **Sean Spivey** (**sean.spivey@competitivecarriers.org**) if you would like to help with this outreach effort and make 2014 another successful year for the program!

# Sunday, April 6, 2014 FCBA/ABA/ NAB 33rd Annual "Representing Your Local Broadcaster" 33<sup>1</sup>/<sub>3</sub> Long Playing Years of Chart Topping Hits!

**LOCATION:** The Encore Hotel, Las Vegas, Nevada

Welcome to the 33rd annual Representing Your Local Broadcaster – 33rd Anniversary – 33 Long-Playing Years of Chart-Topping Hits! For our 33rd year, we will look at the major challenges facing our industry in an evolving economic environment, complicated by a recent influx of regulation and coupled with rapid technological advances. This is a must-attend event for any broadcast industry attorney.

- Sessions will tackle the critical issues in a fast-paced, intense program, supplemented with extremely valuable background material.
- Featured this year Spinning Gold: Programming and Sales in a Multiplat(ter)form Environment, Off the Record: The Latest Regulatory Hits, Newsgathering: Singing a New Tune in the Shadow of National Security Agency Surveillance, and Copyright & the Internet: What's Going On.
- And be sure to join us for a new spin on our lunchtime discussion panel
   #OnlyHipstersLoveVinyl: New Tech and the Changing Nature of Media Law.

#### **SPONSORS:**

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#### **PROGRAM CHAIRS:**

**Ann Bobeck**, National Association of Broadcasters

**Jane Mago**, National Association of Broadcasters

**Steven Zansberg**, Levine Sullivan Koch & Schulz, LLP

#### PROGRAM COMMITTEE:

**Patricia Chuh**, Wilkinson Barker Knauer, LLP

**Guylyn Cummins**, Sheppard Mullin **Scott Goodwin**, National Association of Broadcasters

**Suzanne Head**, National Association of Broadcasters

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**Jennifer Johnson**, Covington & Burling LLP

Kathleen Kirby, Wiley Rein LLP Bill LeBeau, Holland & Knight LLP Elizabeth Spainhour, Brooks, Pierce, McLendon, Humphrey & Leonard LLP Anne Swanson, Cooley LLP S. Jenell Trigg, Lerman Senter PLLC

### Program Schedule

8:30 – 9:45 a.m.
REGISTRATION AND
CONTINENTAL BREAKFAST

8:30 - 9:30 a.m.

WOMEN IN COMMUNICATIONS LAW BREAKFAST

9:45 - 10:00 a.m.
INTRODUCTORY REMARKS

#### INTRODUCTORY REMARKS

**Steven Zansberg**, Chair, ABA Forum on Communications Law **Jane Mago**, Executive Vice President

and General Counsel. National

**Joe Di Scipio**, President, Federal Communications Bar Association

Association of Broadcasters

The "A" Side

10:00 - 11:00 a.m.
SPINNING GOLD:
PROGRAMMING AND SALES
IN A MULTIPLAT(TER)FORM
ENVIRONMENT

Join our esteemed panel of experts as we navigate a record year of regulatory and revenue related issues for broadcasters. Hit topics from political advertising, online and overthe-air advertising, to the Telephone Consumer Protection Act, to the latest Federal Trade Commission and Federal Communications Commission policies will be covered. Don't miss out on this revolving and evolving playlist, or you'll be singing the enforcement (or class action) blues!

Moderator:

**Kathleen Kirby**, Wiley Rein LLP, Washington, DC

Speakers:

Neil Chilson, Federal Trade Commission, Washington, DC Rosemary Harold, Wilkinson Barker Knauer, LLP, Washington, DC Charles Marshall, Brooks, Pierce, McLendon, Humphrey & Leonard LLP, Raleigh, NC S. Jenell Trigg, Lerman Senter PLLC,

Washington, DC

11:00 - 11:15 a.m. BREAK

# 11:15 am – 12:15 p.m. OFF THE RECORD: THE LATEST REGULATORY HITS

Have you been looking for law in all the wrong places? This panel will set the record straight on several key FCC issues facing your radio and television clients. As we enter another election year, are your stations' political records – and other required files – ready for release? Is the FCC striking a chord with its current take on incentive

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#### LOCAL BROADCASTER

CONTINUED FROM PAGE 14

auctions? Have your stations found their groove with new captioning requirements, both on-air and online? Will the latest broadcast ownership re-mix be the one that we want or just another brick in the wall? And are the coming changes for FM translators and AM radio picking up good vibrations ... or will they smell like teen spirit? Our contestants – sorry, panelists – won't dance around these and other topics as part of the only game in town that can satisfy your CLE requirement.

#### Moderator:

**Bill LeBeau**, Holland & Knight LLP, Washington, DC

#### Speakers:

**Michael Couzens**, Solo Practitioner, Oakland, CA

**Maria Kirby**, Federal Communications Commission, Washington, DC (*invited*) **Jennifer Johnson**, Covington & Burling LLP, Washington, DC

**Margaret Tobey**, NBCUniversal, Washington, DC

**Lisa Washburn**, Tribune Company, Chicago, IL

12:30 – 1:00 p.m. LUNCH

#### 1:00 - 1:45 p.m.

# #ONLYHIPSTERSLOVEVINYL: NEW TECH AND THE CHANGING NATURE OF MEDIA LAW

The media landscape is changing so fast, it is impossible for the law to keep up. For lawyers navigating these uncharted waters, that can mean lots of new business - and more than a few headaches. If you want to stay ahead of new technology and your competition, anticipating change is key. To help you in this effort, we have assembled a panel of new tech experts, pioneers who will be helping push old media into a new frontier. They will discuss how media may change in the next decade and how laws built for the analog age will be strained by these changes.

Moderators:

**Judy Endejan**, Garvey Schubert Barer, Seattle, WA

**Anne Swanson**, Cooley LLP, Washington, DC

Speakers:

**Mike Dougherty**, Jelli, Inc., San Mateo, *CA* 

**Ranvir Gujral**, Chute, San Francisco, CA

**Kim Wilson**, SocialNewsDesk, Gainesville. FL

**Greg Schmidt**, Speech Conversion Technologies, Inc., Silver Spring, MD

#### The "B" Side

#### 2:00 - 3:00 p.m.

#### NEWSGATHERING: SINGING A NEW TUNE IN THE SHADOW OF NATIONAL SECURITY AGENCY SURVEILLANCE

Former NSA contractor Edward Snowden's revelations – about "covert, clandestine, and cooperative large accesses" of private information seized by the NSA – have sparked an ongoing public debate about the proper balance between civil liberties, privacy, and security. Snowden's "whistleblowing"/leaking drew accolades and criticism, his prosecution and asylum, shock and lawsuits by Americans, new surveillance guidelines from the Obama administration, political ramifications worldwide, controversy about big technology and private data storage in the Cloud, and more. Counsel for media organizations confront an ever-changing legal and technological landscape that affects how their clients gather news and the means by which they conduct their own digital and electronic communications. The panel will explore these, among other, thorny legal issues.

Moderator:

**Guylyn Cummins**, Sheppard, Mullin, Richter & Hampton LLP, San Diego, CA

Speakers:

**Rebecca Corbett**, The New York Times Company, New York, NY (*invited*)

David Greene, Electronic Frontier Foundation, San Francisco, CA Hon. Michael Hogan (Ret.), Hogan Mediation, Eugene, OR Mark Stephens, CBE, HowardKennedyFsi LLP, London, England Andrew White, Kelley Drye/White O'Connor, Los Angeles, CA Nicole Wong, The White House,

#### 3:00 – 4:00 p.m.

Washington, DC (invited)

# COPYRIGHT & THE INTERNET: WHAT'S GOING ON

We've only just begun to see the development of new technologies that threaten to get the television industry all shook up. Any day now, the Supreme Court will rule on Aereo. Is it a legitimate new business model that walks the line or a desperado that deserves to sing the jailhouse rock? Our experts will explain why the answer isn't black or white. Music licensing affects the radio and television industries in numerous ways, but don't you worry 'bout a thing, because our panelists will tell you more than you need to know. From explaining the hot n' cold relationships with the performing rights organizations (PROs) - including rate-setting litigation and antitrust lawsuits - to social media and fair use issues, this panel will make you gleeful about waking up in Vegas!

#### Moderator:

**Marcia Paul**, Davis Wright Tremaine LLP, New York, NY

Speakers:

**Sandra Aistars**, Copyright Alliance, Washington, DC **Mike Dowdle**, Bonneville International

Corp., Salt Lake City, UT **Kevin Goldberg**, Fletcher, Heald & Hildreth, PLC, Washington, DC **Seth Greenstein**, Constantine Cannon

LLP, Washington, DC

4:00 – 5:30 p.m. RECEPTION

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#### LOCAL BROADCASTER

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### **Program Information**

Discounted program registration is available to all ABA, FCBA, and NAB members. Registration can be completed online: <a href="http://www.americanbar.org/groups/communications\_law.html">http://www.americanbar.org/groups/communications\_law.html</a>. All attendees of the program are automatically registered for a complimentary Exhibits Only pass to the NAB Show.

**HOTEL:** Housing fills quickly for this event, which again will be held on Sunday, April 6th, at the Encore Hotel, 3121 Las Vegas Blvd. South, Las Vegas, NV 89109. \* PLEASE NOTE that the Encore/Wynn hotel block is already sold out, but there are still rooms available next door at the Venetian/Palazzo hotel complex. For reservations at the discounted NAB Show rate, you must make your reservations through NAB's housing office, Expovision, at 1-888-622-8830 or 703-205-9114. You may also make your reservations online at: http://attendeemx.expobook.com/ home/index/255?utm source=nabshowcom&utm\_campaign=1&utm\_ medium=show-site. Please be sure to identify yourself as attending the ABA Forum program.

**ADVANCE REGISTRATION: Please** submit the registration form on page 33 and payment to: Anna Borowiec, ABA Forum on Communications Law, MS 18.2, 321 North Clark Street, Chicago, IL 60654. Credit card users may fax registration forms to 312-988-5677. The deadline for receipt of advance registrations is March 24, 2014. After that date, it will be necessary to register on-site. If you plan to register on-site, you must call 312-988-5580 at least 72 hours before the conference to confirm that space is still available. Failure to call in advance may result in your not being admitted to a sold-out program.

**AIR TRAVEL:** Discounted airfares are available from ABA Orbitz for Business including ABA negotiated meeting discounts on American, United and

Virgin America Airlines. To book online, go to www.americanbar.org/travel > click on the Orbitz for Business logo at the top of the page > read the instructions under the Travel Paid by Self box. For assistance with online or offline reservations using the ABA Orbitz for Business website, call toll free 877-222-4185.

#### **CANCELLATION POLICY:**

Registrants who are unable to attend the program will receive a refund less a \$50.00 administrative fee if a written cancellation is received by March 25, 2014. After March 25, 2014, no refunds will be granted. Substitutions are acceptable. Cancellations may be faxed to 312-988-5677. The ABA reserves the right to cancel any programs and assumes no responsibility for personal expenses.

**REGISTRATION FEE:** Your registration fee includes admission to the program, continental breakfast, coffee breaks, luncheon, reception, and online access to the program materials. Your registration also automatically provides you with a complimentary Exhibits Only pass for the NAB Show.

**CLE CREDIT:** The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. The program is expected to qualify for 4.75 CLE credit hours in 60-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. For more information about CLE accreditation in your state, please contact your accrediting state agency directly or contact Anna Borowiec at anna.borowiec@americanbar.org or 312-988-5580.

**FINANCIAL AID POLICY:** The Forum offers a limited number of scholarships (registration fee waiver), to attend this program to be held April 6, 2014. To apply for a scholarship, please send an email to Teresa Üçok, Forum

Manager, explaining your interest in communications law and your interest in attending the program. Teresa's email is teresa.ucok@americanbar.org. The deadline to request a scholarship is March 10, 2014.

#### **AMERICANS WITH DISABILITIES**

**ACT:** If special arrangements are required for individuals with disabilities to attend this program, please contact Teresa Üçok at the American Bar Association, MS 18.2, 321 N. Clark St., Chicago, Illinois 60654, by March 25, 2014. Teresa's email is **teresa.ucok@americanbar.org** and her fax number is 312-988-5677.

**DRESS:** Business casual attire.

**QUESTIONS:** Please call 312-988-5580 or 312-988-5658, email: **anna. borowiec@americanbar.org** or **teresa. ucok@americanbar.org**.

# Thursday, April 24, 8:15 a.m. – 1:00 p.m. FCC/Bankruptcy Mini Conference: The Intersection of the FCC and Bankruptcy Law

The FCBA Relations with Other Bar Associations Committee in conjunction with the American Bankruptcy Institute (ABI), the voluntary national association of the bankruptcy bar, will co-sponsor an FCC/Bankruptcy Mini Conference on **Thursday**, **April 24**, from **8:15 a.m.** – **1:00 p.m.** entitled "The Intersection of the FCC and Bankruptcy Law. The program will be held at the J.W. Marriott Hotel, 1331 Pennsylvania Avenue, NW, Washington, DC.

This half-day seminar will begin with an examination of the life cycle of a chapter 11 case involving a regulated entity from initial filings to emergence from bankruptcy. A second panel will cover specific topics and issues that have CONTINUED ON NEXT PAGE >

#### MINI CONFERENCE

CONTINUED FROM PAGE 16

arisen in some of the most complex FCC-related Chapter 11 cases. The program will end with a presentation on a bankruptcy judge's view of FCC-related issues featuring the Hon. Kevin J. Carey (District of Delaware) and the Hon. Robert E. Gerber (Southern District of New York).

The \$125 registration fee includes the three presentations described below, plus breakfast and lunch. The program offers 2.5 hours of CLE credit.

To register, click here or go to http://www.abiworld.org/asm14/FCBA\_schedule.html or use the form on the page 34.

### Agenda

8:15 – 9:00 a.m.
REGISTRATION AND
CONTINENTAL BREAKFAST

8:45 – 9:00 a.m.
INTRODUCTION AND
WELCOME

9:00 – 10:15 a.m.
THE LIFE CYCLE OF AN
FCC-REGULATED ENTITY IN
BANKRUPTCY

This panel will review the life cycle of a chapter 11 case involving an FCC-regulated entity, including whether FCC approval is required for an entity to file for and operate in chapter 11, developments during the chapter 11 case that may require the debtor to seek further approval from the

FCC, the FCC approvals that may be required for the debtor to emerge from bankruptcy, and how each of these FCC issues intersects with bankruptcy law.

Moderator:

Norman L. Pernick, Cole, Schotz, Meisel, Forman & Leonard, PA; Wilmington, DE

Speakers:

**David Brown**, Federal Communications Commission, Washington, DC

**Dennis F. Dunne**, Milbank, Tweed, Hadley & McCloy LLP, New York **Jack N. Goodman**, Law Offices of Jack N. Goodman, Washington, DC and member of Mini Conference Steering Committee

Laura Phillips, Drinker Biddle & Reath LLP, Washington, DC Brian Whittman, Alvarez & Marsal, Chicago, IL

10:15 - 10:30 a.m. COFFEE BREAK

10:30 - 11:40 a.m.
BUMPS IN THE ROAD IN THE
BANKRUPTCY OF AN FCCREGULATED ENTITY

This panel will explore particular issues associated with FCC-regulated entities in bankruptcy, including the FCC's prohibition on granting liens on FCC licenses, the use of trust structures to expedite reorganization, and navigating the FCC's foreignownership limitations and multiple ownership restrictions when issuing new equity under a plan of reorganization.

Moderator:

**John S. Logan**, Cooley LLP, Washington, DC; Relations with Other Bar Associations Committee Co-Chair; and member of Mini Conference Steering Committee

**Paul M. Basta**, Kirkland & Ellis LLP, New York

Wayne D. Johnsen, Wiley Rein LLP, Washington, DC and member of Mini Conference Steering Committee Mace J. Rosenstein, Covington & Burling LLP, Washington, DC Rachel C. Strickland, Willkie Farr & Gallagher LLP, New York

11:50 a.m. – 12:00 p.m. Luncheon Introduction

Harry Martin, Fletcher, Heald & Hildreth, Arlington, VA and FCBA Relations with Other Bar Associations Committee Co-Chair

12:00 - 1:00 p.m. LUNCHEON PANEL: "A VIEW

FROM THE BANKRUPTCY
BENCH ON FCC-RELATED
ISSUES"

Moderator:

**Damian S. Schaible**, Davis Polk & Wardwell LLP, New York

Speakers:

**Hon. Kevin J. Carey**, U.S. Bankruptcy Court (D. Del.); Wilmington, DE **Hon. Robert E. Gerber**, U.S. Bankruptcy Court (S.D.N.Y.); New York

### **DC Bar Lawyer Assistance Program**

The DC Bar offers a free, confidential program for lawyers and law students who are experiencing problems, such as addiction, mental health symptoms or stress, which interfere with their personal or professional lives. Telephone or face-to-face consultations with licensed counselors are available. The program also provides mentors. Here is a link to a more detailed description of the counseling opportunities that are offered: <a href="http://www.dcbar.org/for\_lawyers/bar\_services/counseling/about.cfm">http://www.dcbar.org/for\_lawyers/bar\_services/counseling/about.cfm</a>.

### 2014 FCBA Membership Directories

The FCBA 2014 Membership Directories have been mailed to members. Please use the order form on page 36 to order additional copies for your office.

# 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, email the necessary information to **kerry@fcba. org**. Clearly indicate the Blind Box number to which you are responding. If you are applying to a Blind Box, you may specify to the FCBA 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 (found by **clicking here** or going to the FCBA website under the Products, Publications, and Services link) and email or fax the form and the appropriate payment to Kerry Loughney (202-293-4317, **kerry@fcba.org**). In addition, please email the text of the ad to **kerry@fcba.org**. Listings and payment received by the 20th day of each month will appear in the next month's newsletter. If possible, ads should not exceed 75 words. Please call the FCBA questions. (No headhunters please).

#### LAW FIRM / CORPORATE

#### 4.1.14

**Communications Law Attorney** – DC Office of national law firm offers a unique opportunity for an attorney to take on primary responsibility for a substantial group of clients. Minimum 5 years experience in broadcast transactions and regulatory matters is required; experience in other communications areas and intellectual property law would be a plus. Ideal candidate will have portable portfolio of communications industry clients complementary to the firm's existing clients. The attorney would join the congenial Communications and Technology Group practice group of a growing mid-size firm with 5 offices in the U.S. We have excellent support staff and comprehensive benefits. Send resume to CareersDC@gsblaw.com. Garvey Schubert Barer is an Equal Opportunity Employer. Veterans and individuals and individuals with disabilities are encouraged to apply.

#### 4.2.14

Communications Regulatory Associate -

The Washington, DC office of Hogan Lovells seeks a junior to mid-level Communications regulatory associate with a minimum of 1 year of communications regulatory experience. Experience working on communications-related litigation or commercial matters is a plus. Our global Communications regulatory practice encompasses all major industry sectors, but the successful

candidate would focus primarily on wireless, telecommunications, cable and broadbandrelated issues. Duties to include legal research, writing, and oral advocacy before the FCC, NTIA, Congress, and other government agencies and counseling clients on legal, policy, commercial, and technology matters. DC bar membership or eligibility preferred, along with strong academic credentials, excellent research, writing and oral communication skills, and a demonstrated ability to perform effectively in a law firm environment. Please include writing sample(s), preferably advocacy-oriented. Please submit cover letter, resume and law school transcript in confidence to the attention of Suzanne Hudgens, Associate Recruitment Coordinator, at JoinHoganLovellsDC@ hoganlovells.com.

Hogan Lovells is an Equal Opportunity Employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, pregnancy, age, national origin, disability, sexual orientation, gender identity or expression, marital status, genetic information or protected Veteran status.

#### 4.3.14

Executive Director of the Center for Technology, Innovation and Competition

(CTIC) – Penn Law is one of the nation's oldest and most distinguished law schools. The school offers a distinctive cross-disciplinary legal education, drawing on the depth and breadth of the University of Pennsylvania. The resulting intellectual opportunities and professional relationships bridge traditional boundaries and disciplines, making Penn Law an extraordinarily supportive academic community for its scholars and students alike.

The Center for Technology, Innovation and Competition (CTIC) is dedicated to promoting foundational research that will shape and reshape the way legislators, regulatory authorities, and scholars think about technology policy and has established itself as a hub of interdisciplinary discourse on issues pertaining to intellectual property, cyber law, privacy, and related fields. Reporting to the Faculty Director, the Executive Director of CTIC will ensure a rigorous agenda of activities, research, and recommendations, will communicate CTIC's important research to a host of audiences, and will promote and steward the organization.

#### Specific Responsibilities:

- Develop a long-term strategy for the continued growth of CTIC research and programming.
- Develop and implement a calendar of CTIC programs and events, including conferences, faculty workshops, visiting scholar residencies, faculty fellowships, and monthly meetings of the directors.
- Compose and publish original content to

- further CTIC's visibility and reputation, including developing and implementing content for the CTIC website, blogging, engaging in social media outreach, and drafting and designing CTIC's periodic reports.
- Develop and implement a strategy for publicizing CTIC research, events, and fellowships.
- Lead the process of building bridges to faculty in other parts of the University, policymakers, and legal and industry professionals with interests related to CTIC.
- Manage staff consisting of CTIC faculty fellows and CTIC student fellows.
- Spearhead the creation of new and enhanced student-oriented programs, including direction of CTIC student fellowships and internships, cooperation with Penn Law's student-led Penn Intellectual Property Group, and collaboration with joint degree programs relevant to CTIC programs and research.
- Raise funds for CTIC programs and research by identifying and developing new funding sources and finding new ways to enhance CTIC's relationships with existing funding sources.
- Identify and evaluate curricular needs in areas related to CTIC and recruit adjunct faculty to fill those needs.
- Teach or co-teach classes to enrich the upper-level curriculum in areas related to CTIC's mission.

#### Requirements:

- J.D. or other related advanced degree preferred; B.A. or B.S. required. A background in engineering may prove beneficial.
- Seven to ten years of experience, with a minimum three years of administrative responsibility, demonstrating an ability to design and implement events and program budgets over an extended period of time.
- Established track record as collaborator in the workplace, within the immediate department and within a larger institution.
- Experience representing a sophisticated organization in a variety of public and internal forums.
- Experience as a fundraiser valued.
- Teaching experience preferred.

Learn more about **CTIC** (http://www.law. upenn.edu/academics/institutes/ctic) and about **Penn Law** (https://www.law.upenn.edu/).

#### To Apply:

Please e-mail your letter of interest with cv/resume to Jo-Ann Verrier, Vice Dean for Administrative Services, at <a href="mailto:jverrier@law.upenn.edu">jverrier@law.upenn.edu</a>.

CONTINUED ON NEXT PAGE

### JOB Bank

#### 4.4.14

**Senior Communications Regulatory** 

Attorney – EchoStar Corporation (NASDAQ: SATS) is recruiting for a Communications Regulatory Attorney to work in its Washington, DC, office and play an integral role in its regulatory and government affairs activity. This position reports to EchoStar's Vice President of Regulatory Affairs.

#### Responsibilities include:

- Implementing the company's regulatory and governmental affairs strategy globally
- Drafting comments and other pleadings before the Federal Communications Commission (FCC)
- Preparing and managing FCC applications and other materials related to the company's satellite and earth station licenses
- Managing the company's compliance with FCC and other communications regulations
- Developing relationships with FCC staff, particularly in the International Bureau, and representing the company before the FCC in meetings with staff
- Developing relationships with key Congressional staff members, and promoting the interests of the company on the Hill
- Working closely with company executives and business teams to establish priorities and accomplish goals

- Improving legal processes and procedures
- Assisting with other responsibilities as needed

#### Requirements:

- JD from a top law school, excellent academic credentials
- At least 4 years of specialized regulatory and governmental affairs experience at a communications company and/or communications practice of a major law firm
- Satellite industry experience strongly desired
- Extensive experience working with the Federal Communications Commission, ideally the International Bureau
- Experience in dealing with the International Telecommunications Union and international administrations a plus
- Excellent business and legal judgment, strategic thinking, and problem solving
- Hard working, well organized and able to manage numerous projects simultaneously
- Excellent interpersonal skills, dynamic and highly team oriented
- Superior writing and oral communication skills
- Active membership and in good standing in at least one state bar

Please send resume to **Jennifer.Manner@** echostar.com.

# To Update Your Membership Contact Information

We'd like to remind everyone that if they have any changes to their contact information that they notify the FCBA, wendy@fcba.org. In order to keep a cohesive look to both our online and hard copy directories, we do not allow members to make any changes to their contact information themselves. Also note that we do not include prefixes or titles in any of our member listings. We appreciate your cooperation in this matter. Thank you.

### **COMMITTEE AND CHAPTER** Events

#### YOUNG LAWYERS

CONTINUED FROM PAGE 7

**Panelists:** Daniel Alvarez, Legal Advisor to Chairman Wheeler; David Goldman, Senior Legal Advisor to Commissioner Rosenworcel; Renee Gregory, Legal Advisor to Chairman Wheeler; Louis Peraertz, Legal Advisor to Commissioner Clyburn; other speakers to be announced.

**Moderator:** Justin Faulb, National Association of Broadcasters For more information: Contact Lindsey Tonsager at **ltonsager@cov.com** or Justin Faulb at **ifaulb@nab.org**.

To RSVP: Click here or go to the FCBA
Website - Calendar of Events.

**Event:** Co-Chair Election and Planning Meeting

**Date/Time:** Tuesday, May 27, 12:15 – 1:30 p.m.

**Location:** Covington & Burling LLP, 1201 Pennsylvania Avenue, NW

**More Information:** After the election, we will host the semi-annual YLC planning meeting. One YLC co-chair is elected annually to serve a two-year term. All other volunteer roles with the YLC are appointed. No proxy

votes are allowed, so be sure to attend. All are welcome, but voting is limited to current YLC members. Nominations should be emailed to Justin Faulb (<code>jfaulb@nab.org</code>) and Lindsey Tonsager (<code>ltonsager@cov.com</code>) no later than Thursday, May 22. Self-nominations are welcome.

**To RSVP:** Click here or go to the FCBA Website – Calendar of Events.

#### **Atlanta Chapter**

**Event:** Public Policy Luncheon Series presented with the Center for Advanced Communications Policy (CACP), Georgia Tech **Date/Time:** Monday, April 14, 12:00 –

1:30 p.m.

**Location:** GTRI Building, 250 14th Street, NW, Room 119, Atlanta, GA 30318 **Topic:** Emergency Communications Alerts: Roles & Responsibilities of Industry

Panelists: Antwane Johnson, Director of IPAWS (Integrated Public Alert Warning System/ FEMA, Homeland Security); Keith Hayes, SVP Network Engineering, Charter Communications; Art Rogers, Director of Programming, WSB-TV-2, Cox Media Group; and Bryson Koehler, EVP and CIO at The Weather Company

**Moderator:** Joiava Philpott, Vice President,

Regulatory Affairs, Cox Communications, Inc. **Note:** The doors will open at 11:30 a.m. Panel discussion will begin promptly at 12:00 Noon.

\*Complimentary boxed lunches and beverages will be served. Sandwich selections will be comprised of the following: Ham and Swiss, Turkey and Swiss, Tuna Salad, Chicken Salad or Vegetarian.

Please RSVP to: jackie@cacp.gatech.edu or 404-385-4612

#### **New England Chapter**

**Event:** Brown Bag Lunch

**Date/Time:** Monday, April 7, 12:00 –

1:30 p.m.

**Location:** New Hampshire Public Utilities Commission, 21 S. Fruit Street, Suite 10, Concord, NH 03301-2429

**Topic:** An informal dialog with Commissioners and Commission staff on current events, priorities, and issues of concern

**Speakers:** Chairperson Amy Ignatius, Commissioner Robert Scott, Commissioner Martin Honigsberg, Executive Director, Debra Howland, and Senior Telecom Engineer, Kate

**To RSVP: Click here** or go to the **FCBA Website – Calendar of Events**.

On Wednesday, February 26, 2014, the Young Lawyers Committee, in partnership with the Communications Law Forum of the Women's Bar Association of the District of Columbia, hosted its **Fourth Annual Mentoring Supper**. Held at the law offices of Hogan Lovells US LLP, the program featured many prominent practitioners in the field of communications law acting as mentors to a diverse group of young lawyers and law students with an interest in practicing in this area.

The program began by spotlighting **Joseph Di Scipio** of Fox Television Stations, Inc. and **Rebekah Douglas** of the FCC to set the stage for the evening. Introduced by FCBA Young Lawyers Committee Co-chair **Lindsey Tonsager**, this mentor and mentee described how their mentoring relationship evolved and how these connections benefited their careers and contributed to their career development. This discussion provided an informative and valuable look at mentoring in action and showcased the advantages that mentoring can provide to mentor and mentee alike.

The rest of the program was structured as three series of mentoring sessions, with attendees seated at tables for six. Each table included two or three mentors, joined by three or four mentees to discuss their careers and professional development, all while enjoying a delicious dinner and dessert. The mentors led the discussion, relating the career paths that brought them to their current positions and responsibilities and describing the jobs they held along the way. Attendees were encouraged to ask any questions of the mentors, including those about career development and opportunities for professional growth. After a set time period, the mentors moved to another table to continue the dialogue with another group of mentees. This format allowed the mentees to meet and learn from multiple mentors and hear different perspectives about the varied career paths available to communications lawyers.



The co-chairs of the FCBA's Young Lawyers Committee - Lindsey Tonsager of Covington & Burling LLP and Justin Faulb of the National Association of Broadcasters – and the three co-chairs of the WBA's Communications Law Forum - Lynne Milne of the FCC, Laura Mow of The Law Office of Laura C. Mow. and Natalie Roisman of Wilkinson Barker Knauer, LLP - engaged in months of preparation for this evening program. These co-chairs very much appreciate the other mentors who volunteered their time to provide welcome career advice to the mentees participating in this program, including Ryan Wallach of Comcast Corporation, Julie Kearney of Consumer Electronics Association, Yaron Dori of Covington & Burling LLP, Krista Witanowski of CTIA - The Wireless Association, Laura Phillips of Drinker Biddle & Reath LLP. Brett Freedson of Eckert Seamans Cherin & Mellott LLC, Daniel Alvarez, Brendan Carr, Rebekah Douglas, Renee Gregory, Nese Guendelsberger, Gigi Sohn and Philip Verveer of FCC, Mary Beth Richards, formerly of FCC and FTC, Joseph Di Scipio of Fox Television Stations, Inc., Megan Anne Stull of Google, Mark Brennan and Michele Farquhar of Hogan Lovells US LLP, Richard Whitt of Motorola Mobility, Jane Mago of National Association of Broadcasters,

Gregory Lewis and Michelle Shanahan of National Public Radio, Margaret Tobey of NBCUniversal, Jennifer Duane and Angela Simpson of NTIA, Monica Desai of Patton Boggs LLP, Luisa Lancetti of T-Mobile US, Inc., Robert Branson of Verizon, Megan Brown and Peter Shields of Wiley Rein LLP, Scott Blake Harris and Rosemary Harold of Wilkinson Barker Knauer, LLP, Nirali Patel of Willkie Farr & Gallagher LLP, and Patricia Paoletta and Christopher Wright of Wiltshire & Grannis LLP.

The Young Lawyers Committee and the WBA's Communications Law Forum thank the law firm of Hogan Lovells US LLP for graciously hosting this event for the fourth time. This mentoring program would not have been possible without the additional financial contributions of this program's other sponsors: CenturyLink, Inc., Comcast Corporation, Consumer Electronics Association, Covington & Burling LLP, DIRECTV, Inc., Drinker Biddle & Reath LLP, Eckert Seamans Cherin & Mellot, LLC, Frontier Communications Corporation, Motorola Mobility, National Association of Broadcasters, T-Mobile US, Inc., Wilkinson Barker Knauer, LLP, Willkie Farr & Gallagher LLP, and Wiltshire & Grannis LLP.

Photos by Mark Van Bergh













































































































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#### **COMMITTEE/CHAPTER EVENT** Registration Form Organization \_\_\_\_ Address \_\_\_\_\_ Suite/Room/Apt. \_\_\_\_ City/State/Zip \_\_\_\_\_ **CHECK THE EVENT(S) FOR WHICH YOU ARE REGISTERING:** Thursday, April 17, 6:00 – 8:15 p.m. – CLE Seminar on Monday, May 12, 6:00 - 8:00 p.m. - CLE Seminar on Advancing the Advanced Wireless Services Auction: Next Transition to All IP Networks: Update on Issues and **Steps in Law, Policy, and Implementation**. Location: **Progress at State Commissions.** Location: TBD. Wiley Rein LLP, 1776 K Street, NW. Cost: \$135.00 for Private Sector Members; \$50.00 for Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members: \$25.00 for Government/Academic/Transitional Members; \$25.00 for Student Members; \$205.00 for Non-Members Student Members; \$205.00 for Non-Members Registrations and cancellations due by 5:00 p.m., Friday, May 9, 2014. Registrations and cancellations due by 5:00 p.m., Wednesday, April 16, 2014. Wednesday, May 21, 6:00 – 7:30 p.m. – International Monday, May 5, 6:00 - 8:15 p.m. - CLE Seminar on NSA Committee Reception in honor of Ambassador Daniel A. Sepulveda. Location: Wiley Rein LLP, 1776 K Street, NW. Telephonic and Electronic Surveillance: The Executive, Legislative and Judicial Drivers of Reform and Likely Cost: \$5.00 for FCBA Members, \$15.00 for Non-Members Outcomes. Location: Drinker Biddle & Reath LLP, 1500 Registrations and cancellations due by 5:00 p.m., Monday, K Street, NW. Conference Room 2B. May 19, 2014. Cost: \$135.00 for Private Sector Members; \$50.00 for Thursday, May 22, 6:00 – 8:15 p.m. – CLE Seminar Government/Academic/Transitional Members; \$25.00 for on Repacking Broadcasters: A Technical and Legal Student Members; \$205.00 for Non-Members **Discussion**. Location: TBD. Registrations and cancellations due by 5:00 p.m., Friday, Cost: \$135.00 for Private Sector Members; \$50.00 for May 2, 2014. Government/Academic/Transitional Members: \$25.00 for Student Members; \$205.00 for Non-Members Thursday, May 8, 6:00 – 8:15 p.m. – CLE Seminar on Conflicts of Interest in Buy/Sell Transactions: How to Registrations and cancellations due by 5:00 p.m., **Spot and Avoid Them**. Location: TBD. Wednesday, May 21, 2014. Cost: \$135.00 for Private Sector Members; \$50.00 for Thursday, May 29, 6:00 – 8:00 p.m. – CLE Seminar Government/Academic/Transitional Members: \$25.00 for on Net Neutrality Redux: What Should the FCC Do? Student Members; \$205.00 for Non-Members Location: TBD. Registrations and cancellations due by 5:00 p.m., Cost: \$135.00 for Private Sector Members; \$50.00 for Wednesday, May 7, 2014. Government/Academic/Transitional Members; \$25.00 for Student Members; \$205.00 for Non-Members Registrations and cancellations due by 5:00 p.m., Wednesday, May 28, 2014. Credit card no. \_\_\_\_ \_\_\_\_Exp. date\_\_\_\_\_ Cardholder Name Signature The number of credits corresponds with the number of hours of course PAYMENT MUST BE RECEIVED NO LATER THAN THE DAY OF THE EVENT. PHONE REGISTRATIONS WILL NOT BE ACCEPTED. time, i.e., a two-hour seminar equals 2.0 hours of credit. **CLE CREDIT:** FCBA will be requesting accreditation from the State PLEASE MAIL THIS FORM AND A CHECK MADE PAYABLE TO

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 "FCBA" OR FAX OR EMAIL THE FORM TO:

#### **Federal Communications Bar Association**

1020 19th Street, NW • Suite 325 • Washington, DC 20036 Phone: (202) 293-4000 • Fax: (202) 293-4317

Email: wendy@fcba.org

# 2014 FCBA ANNUAL SEMINAR Registration Form

# May 16-18, The Homestead, Hot Springs, VA

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FCBA Private Sector Member	\$395.00
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Children (ages 4 to 12)	\$100.00
Golf Tournament	\$170.00
Tennis Tournament	\$25.00

#### MAIL, FAX OR EMAIL REGISTRATION

No registrations will be processed without payment. If paying by check, please mail your registration to: FCBA 2014 Annual Seminar, 1020 19th Street, NW, Suite 325, Washington, DC 20036. If paying by credit card, you may fax your registration to FCBA at 202-293-4317 or email to wendy@fcba.org. No phone registrations will be accepted.

#### **CANCELLATION POLICY**

**CALCULATE AMOUNT DUE** 

All registration fees must be received by April 25, 2014. Cancellations will be accepted and FCBA registration fees refunded (less a \$50.00 cancellation fee per person) if notice is received no later than April 25, 2014. No refunds will be granted after this date. If for any reason FCBA cancels this seminar, it is not responsible for any travel, hotel accommodations, or other costs incurred by the registrant. Registration for the event may be transferred to another person upon written request to the FCBA office.

The Annual Seminar Registration Fee includes attendance at all of the CLE Seminars; Friday evening's family dinner; Saturday evening's reception and banquet; Saturday evening's Kids Banquet and activities; and breakfast buffets on Saturday and Sunday. Meals and activities not included in the Annual Seminar Registration Fee and not sponsored by FCBA (e.g., golf and tennis tournaments, Kids Camp, and lunch on Saturday) are the responsibility of attendees.

# HOMESTEAD.

Reservations will be confirmed by e-mail.

#### Reservation Request

#### **Federal Communications Bar Association**

May 16-18, 2014

The following daily rates are **per room, per day** based on the Bed & Breakfast (Breakfast Only).

Please circle preferred rate: **ROOMS: SUITES:** (Based on availability) Single - \$376.00 Classic Single - \$238.00 Double - \$258.00 Double - \$396.00 Junior: Single - \$258.00 Double - \$278.00 Single - \$491.00 Double - \$511.00 Resort One Bedroom: Preferred Resort Single - \$268.00 Double - \$288.00 Two Bedroom: Available Upon Request Premier Single - \$288.00 Double - \$308.00 Presidents Suite: Available Upon Request Preferred Premier Single - \$298.00 Double - \$318.00 Children sharing room with parents: Up to 5 years Complimentary 6- 12 years \$12.00 13-18 years \$23.00 Additional Adult \$60.00 per day 15% daily resort charge is included. Package prices are subject to applicable state and local taxes (currently 9.3%) in effect at the time of check-in. Arrival date: /Time: Departure date: /Time: Name (please print)

No. of adults Room mate (if applicable) Address State\_\_\_\_\_Zip Code\_\_\_\_ Daytime Telephone \_\_\_\_\_\_ FAX \_\_ Email Address: Children's names and ages: An advance deposit equal to one night's room rate plus resort charge and tax is required to guarantee your reservation. Early mailing of reservations is highly recommended. Confirmed reservations are based on room availability. Reservations must be received by April 24, 2014 or until the room block has been filled. Deposit may be made with Visa, MasterCard, American Express, Diner's Club, and Discover, which will be charged when reservation request is received. If deposit is by check payment must be received with this reservation request. Changes or cancellations may be made to your reservation without any penalty until 7 days prior to your arrival. Changes or cancellations within 7 days of arrival will result in forfeiture of the deposit. Failure to show on the first night of stay will cause cancellation of all activities and dining reservations for the entire stay. Credit Card No. Expiration date Visa MasterCard American Express Discover Diner's Club Advance reservations and appointments are required for all evening dining and recreation to ensure preferred times. Please call 800-838-1766. Check in time is after 4:00 p.m. Check out time is before 12:00 noon. Reservations request made by: **Dress:** During the day, casual attire is preferred. Jeans and bathing suits are discouraged in The Great Hall. In the evening, collared shirt, jacket and dress shoes are required in the Dining Room. Tie optional in Dining Room. Resort casual elsewhere. Mail to: Group Reservations, P.O. Box 2000, Hot Springs, Virginia 24445

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FAX request may be sent to 540-839-7670
Reservations by fax, mail, group website, or by calling 800-838-1766, ext.4.

Visit the group website at http://www.thehomestead.com/FCBA2014SpringMeeting

# FEDERAL COMMUNICATIONS BAR ASSOCIATION 2014 ANNUAL SEMINAR Sponsorship Committment

To confirm your level of sponsorship, please sign below and return a copy of this form with your credit card information or check (made payable to the "FCBA") to FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, **no later than Friday, May 2, 2014.** The FCBA fax number is: 202-293-4317.

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### **ABA FORUM ON COMMUNICATIONS LAW**

Encore Hotel • 3121 Las Vegas Blvd. South, Las Vegas, NV 89109 • April 6, 2014

#### PROGRAM REGISTRATION FORM

#### 3 WAYS TO REGISTER:

#### **BY FAX**

Fax registration form to: 312.988.5677 Our FAX Line is open 24 hours.

#### **BY MAIL**

Mail registration form and payment to: ABA Forum on Communications Law MS 18.2, 321 North Clark Street Chicago, IL 60654 Telephone: 312.988.5658

**REGISTER ONLINE:** www.americanbar.org/groups/communications\_law

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Are you licensed to practice in New York? $\ \square$ Yes $\ \square$ No	
Dietary restrictions: ☐ vegetarian ☐ vegan ☐ no shellfish ☐ other	; please specify:
\$375 Forum Members \$375 Members of National Assn. of Broadcasters \$375 Members of Federal Communications Bar As \$425 Non-Members ABA/NAB/FCBA	\$250 Government/Public Interest \$175 Law Students/BEA ssn. \$\text{Membership Fee*} (\$55 Regular/FREE Law Student)
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# FCC/Bankruptcy Mini Conference:

# The Intersection of the FCC and Bankruptcy Law



# Thursday, April 24

J.W. Marriott - Washington, D.C.







This half-day seminar will begin with an examination of the life cycle of a chapter 11 case involving an FCC-regulated entity, starting with the FCC's policies on the filing of a chapter 11 petition and the continuity of the entity's operations during the chapter 11 case, and concluding with issues relating to the plan of reorganization and emergence requirements. The program will also cover advanced topics that have arisen in the country's most complex FCC-regulated-entity chapter 11 cases, including the grant of security interests in FCC licenses, the use of trust arrangements to permit early emergence from chapter 11, and mechanisms to address the FCC's foreign-ownership limitations in connection with chapter 11 emergence. The faculty is comprised of leading advisors from the nation's most high-profile media cases, who will provide their insight into successfully navigating a chapter 11 case of a communications or media company.

# **Sponsors:**

2.5 hours of CLE credit available

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# **Program Registration:**

egistration form, make check payable to American Bankruptcy Institute and return to: ABI, P.O. Box 34709, Alexandria, VA 22334-0709 In be faxed to (866) 921-1027. Register online at www.abiworld.org/ASM14/FCC\_schedule.html

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# 18th Annual ROBERT E. LEE MEMORIAL FCBA FOUNDATION CHARITY GOLF TOURNAMENT

### Tuesday, June 3, 2014 — 1:00 p.m. Shotgun Start

Name		
Organization		
Address	Suite/Room/A	Apt
City/State/Zip		
Phone	E-mail	
YES! I WOULD LIKE TO SUPPORT CLUB, AS INDICATED BELOW:	THE GOLF TOURNAMENT, TO BE HEL	D AT THE WESTFIELDS GOLF
□ Governn □ Private S □ Compan □ Individu	rivate Sector Member \$ 175 nent Employee/Law Student \$ 140 sector Non-Member \$ 200 y Hole Sponsor \$ 300 al Hole Sponsor \$ 250	
GOLFERS IN YOUR FOURSOME (Name(s)	(IF KNOWN AT THIS TIME): Organization	Handicap or average of last two rounds
<ul> <li>EAGLE CLUB - \$1,200</li> <li>Golf foursome including admission to all event activities</li> </ul>	COMPANY HOLE SPONSOR — \$300  Full page ad in event program Hole signage	PLEASE SEND THIS FORM AND A CHECK MADE PAYABLE TO THE
<ul> <li>Continental breakfast and lunch</li> <li>Participation with other Eagle Club sponsors in exclusive "Tournament Within A Tournament" competition to win the coveted Eagle Club trophy</li> </ul>	<ul> <li>INDIVIDUAL HOLE SPONSOR — \$250</li> <li>Half page ad in event program</li> <li>Hole signage</li> </ul>	"FCBA FOUNDATION" TO:  FCBA Foundation 1020 19th St., NW, Suite 325 Washington, DC 20036 Tel: 202 293-4000
<ul> <li>Full page ad in event program</li> <li>Top-level recognition in all event advertising before and after the tournament</li> </ul>	CHAIRMAN LEE The tournament is named in memory of former Federal Communications Commission (FCC) Chairman Robert E. Lee, who passed away	Fax: 202 293-4317
For more information about the tournment, go to www.fcba.org	in April 1993 after serving on the FCC for almost thirty years. Chairman Lee served as a	
<b>Note:</b> Players may choose their foursomes regardless of donation level.	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 RETURN FORM AND PA	YMENT BY WEDNESDAY, MAY 28,	2014.
\$ Total Enclosed	☐ Visa ☐ MasterCard ☐ American Express	□ Check
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# **2014 FCBA MEMBERSHIP DIRECTORY** Order Form

Copies of the 2014 FCBA Membership Directory are available for purchase at a cost of \$60.00 for FCBA Members, \$35.00 for Law Student Members, and \$115.00 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 6.0% sales tax for orders sent to DC 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.

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Credit card no	Exp. date
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Please make check payable to "FCBA"

#### **PLEASE SEND THIS FORM TO:**

Federal Communications Bar Association 1020 19th Street, NW Suite 325 Washington, DC 20036

Phone: (202) 293-4000 Fax: (202) 293-4317 Email: wendy@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	
April 1	FCBA Luncheon with FCC Commissioner Michael O'Rielly
April 2	Engineering & Technical Practice Committee Brown Bag Lunch
April 6	FCBA/ABA/NAB 33rd Annual "Representing Your Local Broadcaster"
April 7	New England Chapter Brown Bag Lunch
April 14	Atlanta Chapter Public Policy Luncheon Series
April 17	CLE Seminar: Advancing the Advanced Wireless Services Auction: Next Steps in Law, Policy, and Implementation presented by the Wireless Telecommunications Committee
April 24	FCC/Bankruptcy Mini Conference: The Intersection of the FCC and Bankruptcy Law presented by the FCBA Relations with Other Bar Associations Committee in conjunction with the American Bankruptcy Institute (ABI)
April 24	Young Lawyers Committee Happy Hour
April 27	Volunteer at Martha's Table
April 29	Young Lawyers Committee Brown Bag Lunch
May 5	CLE Seminar: NSA Telephonic and Electronic Surveillance: The Executive, Legislative and Judicial Drivers of Reform and Likely Outcomes presented by the Privacy and Data Security Committee
May 8	CLE Seminar: Conflicts of Interest in Buy/Sell Transactions: How to Spot and Avoid Them presented by the Professional Responsibility Committee
May 12	CLE Seminar: Transition to All IP Networks: Update on Issues and Progress at State Commissions presented by the State and Local Practice Committee
May 16-18	Annual Seminar, The Homestead, Hot Springs, VA
May 21	International Committee Reception in honor of Ambassador Daniel A. Sepulveda
May 22	CLE Seminar: Repacking Broadcasters: A Technical and Legal Discussion presented by the Engineering and Technical Committee
May 27	Young Lawyers Committee Co-Chair Election and Brown Bag Lunch Planning Meeting
May 29	CLE Seminar: Net Neutrality Redux: What Should the FCC Do? presented by the Wireline Committee
June 3	18th Annual FCBA Foundation Golf Tournament at Westfields Golf Club (Clifton, VA)
June 12	FCBA Spring Reception



FEDERAL COMMUNICATIONS BAR ASSOCIATION

1020 19th Street, N.W. Suite 325 Washington, D.C. 20036 www.fcba.org

# FCBA Spring Reception to be held on June 12

The FCBA is pleased to announce that it will hold its Spring Reception on **Thursday**, **June 12**, from **6:00 – 8:00 p.m.** at Microsoft Corporation, 901 K Street, NW, Washington, DC. Look for more information on registration and sponsorships in the May newsletter!