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N E W S

January 2017

Newsletter of the Federal Communications Bar Association

## Nominations for the 2017 FCBA Election

Pursuant to Article V, Section 21 of the Association's Bylaws, the FCBA Nominations Committee is beginning the process of preparing the ballot for the 2017 annual election. Positions to be filled are: President-Elect; Secretary; Assistant Secretary; Assistant Treasurer; Chapter Representative to the Executive Committee; Delegate to the American Bar Association; three (3) members of the Executive Committee; three (3) members of the Nominations Committee; and four (4) FCBA Foundation Trustees.

The first step of this process is for members to notify the Nominations Committee of their interest in being nominated, or to recommend other members for consideration

for nomination. Nominations should be sent to FCBA Past President and Chair of the Nominations Committee, Chris Wright, via email to [cwright@hwglaw.com](mailto:cwright@hwglaw.com), with a copy sent to [kerry@fcba.org](mailto:kerry@fcba.org). Please give the name of the member to be considered for nomination, a brief statement about why the individual is being nominated, and the office they are being recommended for by **Tuesday, January 17, 2017**.

The Nominations Committee will present a slate of nominations to the membership via email and the in newsletter. At that point, members will have the option of making additional nominations as outlined in the Bylaws.



Nemacolin Woodlands Resort

## 2017 FCBA Annual Seminar to be held at Nemacolin Woodlands Resort May 5 – 7 ~ SAVE THE DATES!

Mark your calendar now and make plans to join your colleagues at Nemacolin for the 2017 FCBA Annual Seminar on May 5-7. Watch for program details in the coming months.

Located in the Laurel Highlands of Southwestern Pennsylvania, Nemacolin is situated on 2,000

acres in Farmington, PA, 187 miles from downtown Washington, DC. The resort offers many unique experiences, including:

- **The Woodlands Spa** featuring an extensive array of treatment and services

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## Upcoming Key Events

### Homeland Security Committee Brown Bag Lunch

**Date/Time:** Thursday, January 26, 12:15 – 1:30 p.m.  
**Location:** Akin Gump Strauss Hauer & Feld LLP, Robert S. Strauss Building, 1333 New Hampshire Avenue, NW  
**Topic:** The President's Commission on Enhancing National Cybersecurity, and its "Report on Securing and Growing the Digital Economy," issued on December 1, 2016

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### International Telecommunications Committee Brown Bag Lunch

**Date/Time:** Tuesday, January 31, 12:15 – 1:30 p.m.  
**Location:** Shepard, Mullin, 2099 Pennsylvania Avenue, NW  
**Topic:** A Discussion with the FCC's International Bureau on Development Issues

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### Judicial Practice Committee CLE Seminar

**Date/Time:** Monday, February 6, 6:00 – 8:15 p.m.  
**Location:** Wiley Rein LLP, 1776 K Street, NW  
**Topic:** Recent Developments in TPCA Litigation

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### Engineering and Technical and Wireless Committees CLE Seminar

**Date/Time:** Wednesday, February 8, 3:00 – 5:15 p.m.  
**Location:** TBD  
**Topic:** Securing Spectrum: Unlicensed Technologies, Connected Vehicles, and Privacy

▶ SEE PAGE 3

### Have a Comment, Idea, or Question for the FCBA?

Email [fcba@fcba.org](mailto:fcba@fcba.org). We're always here to assist and are interested in your thoughts on programming, services, or anything else you'd like to share!

## ANNUAL SEMINAR

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- **The Adventure Center** featuring a ropes course, bowling/arcade, climbing wall, off-road driving academy, mini golf, zip lines, paintball, disc golf, and mountain biking
- **The Field Club** featuring the Shooting Academy and the ORVIS® Fly Fishing Center
- **The Wildlife Academy** featuring Jamaican Dog Sledding, the Animal Express Train, pony rides, a safari tour, and walking horseback trail rides
- **The Mystic Rock Championship Golf Course**, the Pete Dye designed, PGA Tour-tested course

Culture is also an experience at Nemaconlin. The resort boasts an impressive collection of restaurants and lounges, including the Forbes Five-Star and AAA Five-Diamond Lautrec, a forward-thinking fine dining experience. Special cooking classes and wine tastings in the state-of-the-art Académie du Vin are offered. Enjoy daily art tours of the multi-million dollar Hardy Family Art Collection or enjoy a leisurely tour at your own pace as the Collection graces nearly all aspects of the property. For shoppers, there are 14 specialty shops in Heritage Court and throughout the Resort.

To learn more about the Nemaconlin and its many amenities and activities, go to: <http://www.nemaconlin.com>.

We hope you join us at Nemaconlin Woodlands Resort in May 2017!

## 2017 National Telecommunications Moot Court Seeks Practitioners to Serve as Judges

The FCBA and The Catholic University of America, Columbus School of Law will co-sponsor the 2016 National Telecommunications Moot Court Competition (“NatTel”) to be held **Friday, February 24** and **Saturday, February 25**. The competition seeks attorneys to serve as Judges on **Saturday, February 25** for briefs and oral arguments. Briefs Judges will receive submitted briefs on or around Friday, February 3 and they will be due back on Wednesday, February 22. A score sheet provided by the NatTel Committee will guide Briefs Judges in grading the briefs and allocating points. Oral Arguments Judges are needed for the competition rounds on Saturday, February 25. If you would like to volunteer as a Brief or Oral Arguments Judge, please contact Susannah Larson at [slarson@hwglaw.com](mailto:slarson@hwglaw.com). No expertise is necessary.



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### EXECUTIVE COMMITTEE LIAISON

Julie M. Kearney

**Monday, February 6,  
6:00 – 8:15 p.m.**

## Recent Developments in TCPA Litigation

The FCBA **Judicial Practice Committee** will host a CLE on **Monday, February 6** from **6:00 – 8:15 p.m.** entitled “Recent Developments in TCPA Litigation.” This program will be held at Wiley Rein LLP, 1776 K Street, NW.

The CLE will consist of two parts. First, Shay Dvoretzky, the Jones Day partner who recently presented oral argument on behalf of petitioners in the appeal of the FCC’s 2015 TCPA Declaratory Ruling, will provide practical insights on oral advocacy before the D.C. Circuit and an expert look at the TCPA issues at stake in the appeal. Second, a panel of veteran TCPA litigators will discuss the latest trends from the trial courts, where the surge of TCPA suits shows no sign of slowing.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 22](#).

### Agenda

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

**6:05 – 7:05 p.m.**  
**AN ADVOCATE’S PERSPECTIVE  
ON THE TCPA APPEAL**

*Speaker:*  
**Shay Dvoretzky**, Partner, Jones Day

**7:05 – 7:15 p.m.**  
**BREAK**

**7:15 – 8:15 p.m.**  
**TRENDS IN DISTRICT COURT  
TCPA LITIGATION**

*Speakers:*  
**TBD**

## Wednesday, February 8, 3:00 – 5:15 p.m. Securing Spectrum: Unlicensed Technologies, Connected Vehicles, and Privacy

The FCBA **Engineering and Technical** and **Wireless Telecommunications Committees** will host a CLE on **Wednesday, February 8** from **3:00 – 5:15 p.m.** entitled “Securing Spectrum: Unlicensed Technologies, Connected Vehicles, and Privacy.” This program will be held at a location to be determined in Washington, DC.

Developments in the 5.9 GHz band are bringing security issues into focus. As unlicensed communications and connected vehicle spectrum needs expand, policy makers, industry leaders and public interest groups are discussing how best to secure their transmissions from spectral interference and data breaches. How will latency sensitive transportation infrastructure and unlicensed services coexist in the U-NII-4 band? How can regulatory decisions support innovation and commerce without impairing

public safety or privacy? This CLE addresses transportation technologies and digital privacy against a backdrop of communications law and jurisdiction, in the context of unlicensed technologies and dedicated short-range communications (DSRC). Speakers will provide regulatory updates, share insights, and suggest approaches to balancing current and future needs of multiple spectrum users.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 22](#).

### Agenda

**3:00 – 3:05 p.m.**  
**WELCOME AND  
INTRODUCTIONS**

**3:05 – 3:30 p.m.**  
**Julius Knapp**, Chief, Office of  
Engineering & Technology, Federal  
Communications Commission

**3:30 – 4:15 p.m.**  
**STATE OF PLAY: CONNECTED  
VEHICLES AND UNLICENSED  
TECHNOLOGIES IN THE 5.9  
GHZ BAND**

Access to spectrum is necessary for connected vehicle communications and for innovative unlicensed uses. The FCC has committed to complete testing of potential 5.9 GHz spectrum sharing technologies by January 15, 2017. The NHTSA has proposed to enable vehicle-to-vehicle (V2V) communication technology on all new light-duty vehicles. Will commercial applications, such as wireless LTE and new radar technologies, improve highway safety as well as, or in place of, DSRC infrastructure? How should applications that are not safety-of-life be defined and addressed? This panel will provide regulatory updates, discuss opportunities for development of the U-NII-4 band, and consider beneficial paths forward.

*Moderator:*  
**Angela Giancarlo**, Government  
Relations Partner, Mayer Brown LLP

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## Committee and Chapter Sign-Up

If you would like to sign up for or update the committee(s)/chapter(s) you are on, fill out the form on [page 24](#) of this newsletter or download it at <http://www.fcba.org/wp-content/uploads/2015/08/FY16-Committee-Form.pdf> and send it back to the FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036, fax: 202-293-4317, or email: [megan@fcba.org](mailto:megan@fcba.org).

## FEBRUARY 8 CLE

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### Speakers:

**Erin McGrath**, Legal Advisor, Office of Commissioner O’Rielly, Federal Communications Commission

**Ari Fitzgerald**, Partner, Hogan Lovells US LLP

**John Kuzin**, Vice President and Regulatory Counsel, Qualcomm

**Dr. Mark Cooper**, Director of Research, Consumer Federation of America

**4:15 – 4:25 p.m.**

### BREAK

**4:25 – 5:15 p.m.**

### CYBERSECURITY, PRIVACY, AND COLLISION AVOIDANCE

Will DSRC communications be safe and secure? Will commercial vehicle systems architectures and telematics expose consumer information to unacceptable digital threat levels, or is cybersecurity sufficiently strong? This panel will discuss government and industry efforts addressing concerns that connected vehicle technologies, through onboard services such as mobile payments, advertising, and infotainment, could provide attack vectors for malware, personal data theft, and vehicle collisions.

### Moderator:

**Megan Brown**, Partner, Wiley Rein LLP

### Speakers:

**Harry Lightsey**, Executive Director, Global Connected Customer, Public Policy, General Motors

**Kevin Gay**, Chief of the Intelligent Transportation Systems (ITS) Policy, Architecture, and Knowledge Transfer group, ITS Joint Program Office, U.S. Department of Transportation

**Steve Bayless**, Vice President, Technology & Markets / Senior Director of Telecommunications & Telematics, Intelligent Transportation Society of America

**John Gasparini**, Policy Fellow, Public Knowledge

## Thursday, February 16, 12:00 – 2:00 p.m. Addressing the Privacy and Security Challenges of the Internet of Things

The FCBA Privacy and Data Security Committee will sponsor a CLE on **Thursday, February 16**, from **12:00 – 2:00 p.m.** entitled “Addressing the Privacy and Security Challenges of the Internet of Things.” This program will be held at a location to be determined in Washington, DC.

It is expected that by 2020, 25 billion “smart” devices will be wirelessly connected to the Internet. This “Internet of Things” raises challenging privacy and security issues. This program will discuss the federal government’s role in addressing the evolving privacy and security issues, and the views of industry and public interest organizations on the appropriate governmental role.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 22](#).

## Agenda

**12:00 – 12:05 p.m.**

### WELCOME AND INTRODUCTIONS

**12:05 – 12:55 p.m.**

### THE ROLE OF THE FEDERAL GOVERNMENT IN THE INTERNET OF THINGS

Panelists will discuss, among other things, the NTIA’s IoT Security Multistakeholder Process and the FTC’s authority over IoT privacy and security.

**12:55 – 1:05 p.m.**

### BREAK

**1:05 – 2:00 p.m.**

### THE INDUSTRY AND PUBLIC INTEREST PERSPECTIVE

The perspective of industry and public interest organizations on the government’s role in navigating IoT privacy and security challenges.

## The FCLJ is Looking for Articles

The *Federal Communications Law Journal* (FCLJ) editorial team at The George Washington University Law School is now seeking and accepting article submissions for possible publication in the upcoming volume of the FCLJ. Members interested in submitting articles may contact Senior Articles Editor, Melissa Morgans ([fcljarticles@law.gwu.edu](mailto:fcljarticles@law.gwu.edu)). Articles may also be submitted through ExpressO. For general inquiries or questions about the FCLJ please contact Editor-in-Chief, Warren Kessler ([fclj@law.gwu.edu](mailto:fclj@law.gwu.edu)).

## 2016 Membership Survey

Thanks to everyone that took the time to participate in the FCBA 2016 Membership Survey! Your responses will help the Association evaluate various member services and activities and to identify new ones to consider for future implementation.

Congratulations to **T. Barton Carter**, **Angela Collins**, **Will Cox**, and **Ann Flowers**, who were randomly chosen to each receive a \$25 Starbucks gift card to show our appreciation for completing the survey.

### Atlanta Chapter Program “Meet the General Counsels & Senior Legal Advisors” held December 9

On Friday, December 9, the Atlanta chapter hosted a panel discussion entitled “Meet the General Counsels and Senior Legal Advisers.” The panel was moderated by Joiava Philpott-Cox Communications (Atlanta Chapter Co-Chair) and featured Tim Gage-Comcast, Josh Pila-Meredith Corporation Local Media Group (Atlanta Co-Chair), Jennifer Hightower-Cox Communications, and Mark Keffer – AT&T. The panelists discussed in-house career paths, challenges in technology law and policy, and their views on the future of communications law.

The widely attended luncheon was sponsored by Cox and Meredith, and was held at Cox’s Atlanta offices.



Tim Gage (Comcast), Joiava Philpott (Cox Communications & Atlanta Co-Chair), Josh Pila (Meredith Corporation & Atlanta Co-Chair), Jennifer Hightower (Cox Communications), and Mark Keffer (AT&T)



Joiava Philpott (Cox Communications & Atlanta Co-Chair) and Randy New (Kitchens New Clegghorn LLC in Atlanta, GA)



Robin Sangston (Cox Communications), Josh Pila (Meredith Corporation & Atlanta Co-Chair)

### Wednesday, February 15, 2017 Seventh Annual Mentoring Supper

Calling all young lawyers, law students, and lawyers in transition! Register today for the **Seventh Annual Mentoring Supper** from 6:30 – 9:00 p.m. on **Wednesday, February 15, 2017**. This popular, joint program of the FCBA's **Young Lawyers Committee** and the Women's Bar Association's **Communications Law Forum** will be held at Hogan Lovells US LLP, Columbia Square, 555 Thirteenth Street, NW. Space is sure to be limited, so don't wait! Register at [www.wbadc.org](http://www.wbadc.org).

The Seventh Annual Mentoring Supper is an opportunity for young lawyers, law students, and lawyers in transition to interact with distinguished members of the communications bar while enjoying a catered dinner. Mentees will be paired with mentors in small groups, allowing for substantive discussions about career development and related topics. An outstanding roster of experienced lawyers have agreed to serve as mentors for this program, representing an incredible breadth of private and public businesses, federal agencies, large and boutique private law firms, trade associations, and non-profits. Confirmed mentors include:

**Joan Marsh**, AT&T; **Melissa Newman**, CenturyLink; **Ryan Wallach** and **Kathryn Zachem**, Comcast; **Julie Kearney**, Consumer Technology Association; **Anne Swanson**, Cooley; **Ann Bobeck** and **Yaron Dori**, Covington & Burling; **Barry Ohlson**, Cox Enterprises; **Krista Witanowski**, CTIA; **Stacy Fuller**, DIRECTV; **Laura Phillips**, Drinker Biddle; **Brett Freedson**, Eckert Seamans; **Jessica Almond**, **Rachael Bender**, **Micah Caldwell**, **Brendan Carr**, **Diane Cornell**, **Matthew DelNero**, **Justin Faulb**, **Nese Guendelsberger**, **Michael Janson**, **Jean Kiddoo**, **Olga Madruga-Forti**, **Ruth Milkman**, and **Gigi Sohn**, FCC; **Roger Sherman**, Waneta Strategies;



**Joseph Di Scipio**, Fox Television; **Megan Stull**, Google; **Scott Blake Harris** and **Christopher Wright**, Harris, Wiltshire; **Mark Brennan**, **Michele Farquhar**, and **Nirali Patel**, Hogan Lovells; **Rebekah Goodheart**, Jenner & Block; **Jennifer Warren**, Lockheed Martin; **Angela Giancarlo**, Mayer Brown; **Erin Dozier**, National Association of Broadcasters; **Margaret Tobey**, NBCUniversal; **Jennifer Duane** and **Angela Simpson**, NTIA; **Sherrese Smith**, Paul Hastings; **Celeste Murphy**, SEC; **Kathleen Ham** and **Luisa Lancetti**, T-Mobile; **Grace Koh**, U.S. House of Representatives Committee on Energy and Commerce; **Lawrence Roberts**, Venable; **Robert Branson**, Verizon; **Anna Gomez**, **David Gross**, and **Kathleen Kirby**, Wiley Rein; **Natalie Roisman** and **Bryan Tramont**, Wilkinson; and **Daniel Alvarez** and **Mia Hayes**, Willkie.

Dinner is included in the registration fee. Through February 12, the discounted registration fee is \$15.00 for students, FCBA and WBA members. (The non-member price is \$25.) After February 12, the registration fee increases to \$20.00 (\$30.00 for non-members). To receive the discounted price, enter the promo

code **FCBAMENTOR** at checkout when registering at [www.wbadc.org](http://www.wbadc.org) or when calling the Women's Bar Association office at 202-639-8880.

The Young Lawyers Committee and the Communications Law Forum appreciate the financial support of **Hogan Lovells US LLP**, Signature Sponsor of the Seventh Annual Mentoring Supper.

### Sunday, April 23, 2017 – Save The Date! FCBA/ABA 36th Annual “Representing Your Local Broadcaster”

The 36th Annual Representing Your Local Broadcaster Annual Seminar will be held on **Sunday, April 23, 2017** at the Encore Wynn Hotel in Las Vegas, Nevada. Program details will be coming soon.

### FCBA Foundation 2017 College Scholarship Program: Application Now Available

The FCBA Foundation is gearing up for its 2017 College Scholarship Program, which provides financial assistance and laptop computers to DC public high school students to assist them in attending college. For over 21 years, the Foundation has helped over 200 local high school students attend college with scholarship awards ranging from several thousand dollars up to \$28,000, payable over four years.

The Foundation committed over \$271,000 to its 2016 scholarship class, which was comprised of 20 graduating seniors who were selected because of their academic achievements and service to school and community.

The Foundation's updated web-based application lets interested high school seniors, who are matriculating to college next fall, apply for a scholarship online. The application is available at <https://fcbafoundationcollege.awardspring.com/>.

**The deadline for submission of applications is Friday, February 24, 2017.** The Foundation plans to conduct interviews of promising applicants during the week of April 17, 2017 timeframe, and

to notify successful applicants regarding their scholarship awards by mid-May 2017.

If you have any questions about the application or the FCBA Foundation College Scholarship program, please contact the FCBA offices at 202-293-4000 or by email at [starsha@fcba.org](mailto:starsha@fcba.org).

### FCBA Foundation Gearing up for Its 2017 Law School Scholarship Program

The FCBA Foundation is gearing up for its 2017 Law School Scholarship Program, which provides financial assistance to rising second or third year students currently enrolled in accredited law schools in the United States who have a demonstrated interest in pursuing a career in communications law. The scholarships range from \$2,500 – \$5,000 each, and will be payable to the applicable law school in one lump sum to help the student with tuition or other education-related expenses.

The Foundation's updated web-based application lets interested law school students apply for a scholarship online. The application will be available by early February at <https://fcbafoundationlaw.awardspring.com>.

**The deadline for submission of applications will be Monday, April 3, 2017.** The Foundation plans to notify successful applicants regarding their scholarship awards by Monday, May 15, 2017.

If you have any questions about the application, please contact the FCBA offices at 202-293-4000 or by email at [starsha@fcba.org](mailto:starsha@fcba.org).

### FCBA Foundation Will Soon Accept Applications for Its 2017 Law School Summer Stipend Program

For the 24th consecutive year, the FCBA Foundation will award stipends to law students from its Chairman Robert E. Lee Scholarship and Internship Fund. Chairman Lee served as a Commissioner of the Federal Communications Commission (FCC) for 28 years and was instrumental in the early development of color television, among other contributions to federal communications policy.

The program provides stipends of up to \$5,000 to outstanding law students employed as unpaid summer interns in positions with the FCC and other federal, state and local government agencies with a connection to the communications industry (*i.e.*, broadcasting, cable, information technology, television, telephony, satellite, and wireless). **Applications will be accepted online starting January 15th through March 24th, 2017. No exceptions will be made for late filed applications.**

In addition, the Foundation will select one outstanding intern among those chosen to receive an additional stipend for the summer: the Max Paglin Award. Mr. Paglin was the former General Counsel and Executive Director of the FCC and the founder of the Golden Jubilee Commission on Telecommunications, which compiled a definitive history of the Communications Act.

The Foundation considers funding from other sources in making award decisions and generally will adjust its stipend

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### 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, [megan@fcba.org](mailto:megan@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.

## STIPEND PROGRAM

CONTINUED FROM PAGE 7

awards so that a recipient's total funding for the internship will not exceed \$7,000.

### Requirements

Students must be enrolled in an ABA accredited law school, in good academic standing, and have a pending or accepted application for an unpaid internship with a federal, state or local government entity.

Students will be selected on the basis of:

- Essays – 30 points
- Resume and Recommendations – 25 points
- Academic Merit (including relevant coursework, certificate programs, journals and clinics) – 25 points
- Nature of Work – 10 points
- Financial Need – 10 points

Applications for internship funding should be submitted online at <https://>

[fcbafoundationlaw.awardspring.com](http://fcbafoundationlaw.awardspring.com).

Applicants may be asked to interview with members of the Foundation Board; interviews may be conducted by telephone.

If you have any questions about the Foundation Law School Summer Internship Stipend program or application, please contact the FCBA offices at 202-293-4000 or by email at [starsha@fcb.org](mailto:starsha@fcb.org).

## COMMITTEE AND CHAPTER Events

### Engineering and Technical Committee

**Event:** CLE Seminar co-hosted by the Wireless Telecommunications Committee  
**Date/Time:** Wednesday, February 8, 3:00 – 5:15 p.m.  
**Location:** TBD  
**Topic:** Securing Spectrum: Unlicensed Technologies, Connected Vehicles, and Privacy  
**More information:** See [page 3](#).  
**To register:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 22](#).

### Homeland Security and Emergency Communications Committee

**Event:** Brown Bag Lunch  
**Date/Time:** Thursday, January 26, 12:15 – 1:30 p.m.  
**Location:** Akin Gump Strauss Hauer & Feld LLP, Robert S. Strauss Building, 1333 New Hampshire Avenue, NW  
**Topic:** The President's Commission on Enhancing National Cybersecurity, and its "Report on Securing and Growing the Digital Economy," issued on December 1, 2016.  
**Speakers:** Steve Chabinsky, Member of the President's 12-person Commission on Enhancing National Cybersecurity and Global Chair of Data, Privacy, and Cyber Security, White & Case; Moderator: David Turetsky, Partner, Akin Gump Strauss Hauer & Feld, LLP and co-leader of Akin Gump's cybersecurity, privacy and data protection practice.  
**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

### International Telecommunications Committee

**Event:** Brown Bag Lunch  
**Date/Time:** Tuesday, January 31, 12:15 – 1:30 p.m.  
**Location:** Shepard, Mullin, 2099 Pennsylvania Avenue, NW  
**Topic:** A Discussion with the FCC's International Bureau on Development Issues  
**Speakers:** Roxanne McElvane Webber, Deputy Chief, Global Strategy and Negotiation Division, International Bureau – FCC and Kelly O'Keefe, Chief, Multilateral and Regional Affairs Branch Global Strategy and Negotiation Division, International Bureau – FCC.  
Moderated by Jennifer A. Manner, EchoStar  
**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

### Judicial Practice Committee

**Event:** CLE Seminar  
**Date/Time:** Monday, February 6, 6:00 – 8:15 p.m.  
**Location:** Wiley Rein LLP, 1776 K Street, NW  
**Topic:** Recent Developments in TPCA Litigation  
**More information:** See [page 3](#).  
**To register:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 22](#).

### Privacy and Data Security Committee

**Event:** CLE Seminar  
**Date/Time:** Thursday, February 16, 12:00 – 2:00 p.m.  
**Location:** TBD  
**Topic:** Addressing the Privacy and Security Challenges of the Internet of Things  
**More information:** See [page 4](#).  
**To register:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 22](#).

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### Jeffrey Carlisle

By: Laura Phillips

Jeffrey Carlisle has had a distinct and varied career in private practice, at the Federal Communications Commission, with companies of different sizes and outlooks. Most recently, after an exciting number of years as the chief regulatory officer for LightSquared, now Ligado, Jeff has launched his solo law practice. I was pleased to sit down and share a drink with him to recall some of the highlights of his career thus far and insights he was willing to share for the benefit of the FCBA newsletter readership.



**Q: What attracted you to the field of communications?**

**A:** When I was in graduate school at the Fletcher School of Law and Diplomacy, I took a course on the international law and policy of communications that was taught by Stuart Brotman. I was really interested in how corporations built their own private networks at the time, but then started learning about this whole world of issues. I later had the good fortune to be Stuart's research assistant, and that is what started me on the road in communications.

**Q: Have things unfolded in your career more or less the way you planned?**

**A:** I can't say I've been very good at planning my own career, so I would offer that caution to anyone thinking of trying to model it. The beginning of my legal career was fairly standard in that I did a summer associate stint at O'Melveny & Myers, which is a Los Angeles-based law firm that had a DC office. I returned as a first year associate. At that time the firm was handling a number of large broadcast transactions and my first big communications project was working on getting FCC approvals for the acquisition of Cap Cities/ABC by Disney. Before long the Telecommunications Act of 1996 was passed and those who were around in those days recall how much work there was to do in implementation. I was *de facto* living in the Midwest as a second-year associate doing interconnection arbitrations for GTE. I also did some interesting international telecom law work for the Republic of Ghana on behalf of the World Bank.

In 1999, a friend from Fletcher offered me a job with his startup. He understood early on the potential of competitive broadband, and we worked to bring broadband connections to apartment buildings. I worked with the company for about a year and half and we were among the first residential VoIP providers. Ultimately, the company ran into headwinds that couldn't be overcome, as there were broader issues about the viability of CLECs and competition as it was then evolving, but it was a great experience and I also had time to start my own practice.

My next career opportunity happened because I was approached by a former colleague, Michael Powell, about working at the FCC during the George W. Bush administration. I was Deputy Chief and later Bureau Chief of the Wireline Competition Bureau. At the time, the FCC was struggling through matters like unbundling and the beginnings of broadband policy, and I was very lucky and proud to work with FCC staff on those matters.

I have to say working at the FCC is the best job anyone could have in the world, and that certainly was the case in 2001. I was 32 years old and I was in the middle of everything by my second week at the FCC. Where else do you get to go to work and meet Vint Cerf one day, Lawrence Lessig the next, and have an almost daily exposure to the best thinking on the hardest issues? I guess the useful lesson about all of this is that timing is key -- while it's important to create your own opportunities, sometimes you just happen into something at the right time.

While I had a few really tough days at the Commission, I had so many great days that I just recall the time with great affection. I think the longest lasting thing that stays with you about the job was the incredible FCC staff. I saw people come in as young professionals and develop so quickly. It was a great experience and I was so proud to be a part of it. But times change and I did with them.

After I left the FCC, I had the opportunity to start the DC government relations office for Lenovo, after it had acquired IBM's ThinkPad business. It was a bit of a break from telecommunications for me, because it involved a whole different set of issues that come up when you're moving real physical things around the world -- trade policy, export controls, e-waste, and so on.

Telecommunications pulled me back in, though, and I started with LightSquared -- then SkyTerra -- in early 2009. And for me that was a pretty long gig -- 7 years. In a way it brought me full circle, back to international issues. And of course there were a fair amount of domestic policy issues as most folks in town know, and some have also had the pleasure of working on.

Now, I really feel like a lot of what I've done over the last 20 or so years has kind of led to what I'm doing now -- having the ability to pick some really interesting projects in wireline, wireless and satellite, and working with people who have been friends and colleagues for a long, long time. So I guess I couldn't have planned it better.

**Q: What's something or someone that has surprised or impressed you during your career and why?**

**A:** Someone who left a deep impression on me was A.B. Culvahouse. He was the Managing Partner of the DC office while I was at O'Melveny, and was later Chair of the firm. I had the good fortune to work with him on a handful of projects, and, to me, he's just the

CONTINUED ON NEXT PAGE ►

## Get to Know an FCBA MEMBER

JEFFREY CARLISLE

CONTINUED FROM PAGE 9

epitome of an attorney. He was incredibly professional, deeply knowledgeable, and a real commanding presence. I may not have planned my career very carefully, but I was smart enough to ask A.B. for advice from time to time and his advice always stood me in good stead.

One thing that's impressed me is how generous folks in the communications bar are with their time and help. Every time I've reached out to anyone in the bar to discuss ideas, get a sanity check or to ask for help on a career decision, folks have been wonderfully helpful. Frankly, that kind of help is something I wish I'd taken more advantage of in my career, and believe new lawyers should certainly do so.

**Q:** What do you enjoy reading in your spare time?

**A:** I just finished Tim Wu's "The Attention Merchants: The Epic Scramble to Get Inside our Heads." I recently read Elizabeth Greenwood's "Playing Dead: A Journey Through the World of Death Fraud," which is a great read and makes a convincing case that faking your own death is not really a good solution for your problems (who knew?). In general, I have a fairly broad-based appetite for nonfiction, short stories, and read a good bit of science fiction. I've been really engrossed in some Raymond Carver short stories recently, and rereading Henry Green, who I wish had written more. A few years ago I got on a kick of reading about Arctic exploration, starting with a huge work by Pierre Breton and will now pick a few books on the subject every year.

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

**A:** If I could counsel my younger self, I would say just be a bit more introspective about what you are doing and why. It's your time and if you are

enjoying it you'll do better work. I would tell myself to just take time to get to know others well and to network with them, even if you may think you don't have the time or it's not necessary. You always have the time and it's always necessary. You need to do what you think is best ultimately when it comes to your career decisions, but it's always good to get advice and help of others. You should not assume that asking for that advice would be irritating to the people you approach. I could have saved myself from much needless anxiety if I had taken this counsel. I would also say be generous and help others too.

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

**A:** I am a great museum buff and enjoy museums in Washington and wherever I go. When I plan trips I always try and see the local art museums – you can find remarkable things tucked away where you least expect them. Over time I've developed a greater appreciation for and knowledge about classical and modern art, and it's enriched my life.

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

**A:** As I recall I joined in 1996. Since I've been a member I've seen firsthand the opportunities the FCBA provides its members for ongoing education. The FCBA is also just a great venue to get together and see other people that you know and build relationships that are valuable personally and professionally. Pretty much anywhere I go – New York, Geneva, Aspen, and just walking down K Street in DC, I run into or across people I have worked with for over 20 years. That's a wonderful thing. Of course, it might be a similar experience in other bars – I wouldn't know. But I like this one.

Interested in learning more about another FCBA member? If there is a member you'd like to know better, please contact **Laura Phillips** at [laura.phillips@dbr.com](mailto:laura.phillips@dbr.com).

### 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.

In general, we need conference rooms that can seat at least 30 people at tables for brown bag lunches and committee meetings and conference rooms that can seat at least 60 people theatre style for CLE seminars. Firms and companies hosting brown bag lunches provide beverages and desserts; firms and companies hosting CLE seminars provide beverages and snacks. Brown bag lunches are generally held from 12:00 – 1:30 p.m. and CLE seminars are generally held from 12:00 – 2:15 p.m., 3:00 – 5:15 p.m., or 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, and video projection capabilities for PowerPoint presentations. If your firm or company has the needed conference room facilities and capabilities and would be willing to host future FCBA activities, please email **Kerry Loughney**, [kerry@fcba.org](mailto:kerry@fcba.org) or **Starsha Valentine**, [starsha@fcba.org](mailto:starsha@fcba.org).

## 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](mailto: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](mailto:kerry@fcba.org)). In addition, please email the text of the ad to [kerry@fcba.org](mailto: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

### 1.17.1

#### Assistant General Counsel, South Carolina State Fiscal Accountability Authority

– Location: Columbia, SC. Do you enjoy complex, varied, and intellectually challenging legal work? Looking for work/life balance and a collegial environment? This position offers all that and more, including the stability and benefits package associated with state government employment.

The South Carolina State Fiscal Accountability Authority is seeking a dynamic, highly-motivated and experienced lawyer to support the program charged with the development, award, and administration of State government contracts, especially in the areas of information technology services and software licensing. The responsibilities of this position will include: (1) drafting, negotiating and advising program clients relative to complex government contracts; (2) drafting, negotiating and advising program clients relative to information technology, cloud computing, software licensing, consulting services, product support, non-disclosure, and other agreements between State government agencies and private sector vendors; (3) providing strategic advice on legal considerations associated with newly emerging information technology business models; and (4) providing strategic advice and guidance on rapidly changing privacy, security, and other policy issues impacting government

procurement of information technology products, services, and software.

Candidates should have the following qualifications: (1) J.D. from an ABA accredited law school with excellent academic credentials and admission to the state bar of at least one U.S. state; (2) background as a transactional attorney in-house and/or at a law firm with experience drafting, negotiating, and administering complex business contracts; (3) strong analytical and drafting skills; (4) demonstrated ability to work efficiently, meet demanding deadlines and balance multiple tasks in a fast-paced environment with minimal supervision; (5) excellent oral and written communication skills; (6) working knowledge of Microsoft Office, including Outlook, Word and PowerPoint; and (7) ability to work independently and partner effectively in a team environment.

Preferred qualifications include (1) experience with cloud computing, software licensing, systems integration, or other complex services engagements, especially those involving software and other intellectual property; (2) government contracting experience - Federal, State & Local, and/or Education; and (3) strong experience in negotiating information technology agreements with large enterprise commercial and/or government entities.

This lawyer will serve in the Office of General Counsel of the State Fiscal Accountability Authority. Formerly part of the SC Budget and Control Board, the Authority is the State agency responsible for operating the State's central purchasing office for major public contracts, including those involving information technology, supplies, services, and construction; with administering the State's self-insurance fund; and with reviewing and approving major government transactions (capital improvements, bonds/debt, real property transactions, etc.).

Minimum Requirements: A juris doctor degree or its equivalent from an accredited law school. Licensed as an attorney at least 4 years. At the time job duties commence, membership in the South Carolina Bar. Start date is flexible.

More Information: For salary range and other additional information, consult the Official Job Posting below. Applications must be submitted through the State's job portal at [Jobs.sc.gov](http://Jobs.sc.gov).

Official Job Posting: The official job posting is available at the following URL: <http://agency.governmentjobs.com/sc/default.cfm?action=viewJob&jobID=1533132>

### 1.17.2

**Contract Manager, Legal** – Tata Communications is looking for a Contract Manager that will, depending on current

requirements, perform various tasks either independently or as a support function to the procurement or commercial attorneys. Key responsibilities include drafting, negotiating and reviewing standard contracts, NDAs and customer/supplier order forms, managing the workflow of the contract review cycle, managing the contract lifecycle manually or through a contract lifecycle management system, project managing contract reviews.

The Contracts Manager will also have opportunities to:

- Support the legal team to develop form documents and templates to streamline routine transactions and improve the efficiency of contract review.
- Support legal and user teams to standardize, adapt and document operational and delivery requirements such as KPIs, SLAs, penalties and change management.
- Assist in knowledge management such as developing knowledge sharing initiatives.
- Work closely with teams across all departments within the company as required.

#### Skills and Experience

- Minimum of 6 to 10 years contract management experience
- Strong knowledge of contract law
- Excellent English written and verbal communication and presentation skills
- Good drafting and negotiation skills
- Demonstrated ability to work independently or collaboratively as part of a team
- Detail orientated and strong organizational skills
- Self-starter who has an ability to work efficiently under pressure
- Adaptable to global timezones and different cultures
- Demonstrated experience developing good working relationships with staff at all levels in a professional services environment
- Experience in an international organization a plus
- Legal or contract management experience in the telecommunications field a plus

#### Education

- Paralegal degree/diploma, IACCM Certification or equivalent diploma.

#### Technology Proficiency

- Proficient in MS Office Word, Excel, Outlook, PowerPoint
- Experience with Contract Lifecycle Management tools a plus

Please send resumes to [Alison.Lindsay@tatacommunications.com](mailto:Alison.Lindsay@tatacommunications.com) and [Helena.Duong@tatacommunications.com](mailto:Helena.Duong@tatacommunications.com).

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## 1.17.3

**Solo Practitioners and Other Professionals** – Marashlian & Donahue, PLLC, The CommLaw Group, is now interviewing qualified solo practitioners and other professionals with modest books of business to staff its revolutionary “virtual” Law Firm Partner platform. Benefits of our unique platform service model include: ability to practice “like a solo” when small sells; when opportunities require greater size, depth or scope of experience and staffing, easily scale up to serve complex engagements; “Eat What You Kill” minus a modest percentage (25% and below) to cover administrative expenses; telecommute or utilize our office space and resources, work independently or collaborate with collegial and richly experienced colleagues, all at your discretion. Set your agenda, your goals, reclaim your work-life balance, and “own” your practice like you never dreamed possible.

Learn more at <http://www.commlawgroup.com/careers/contact>.

## 1.17.4

**Telecommunications Law Associate – Washington, DC Office** – Best Best & Krieger LLP has an immediate opening for an associate with three to five years of experience in telecommunications law who wishes to develop a practice focused on representing local governments, schools, other public agencies and nonprofits. While we represent some private sector clients, the bulk of our practice involves representing the public sector and nonprofits in their roles as regulators, infrastructure owners and market participants. The position involves working closely with clients to: research and write briefs before lower courts and courts of appeal; prepare and file comments with the Federal Communications Commission; develop policy

papers and positions on communications issues affecting local governments, including plans for broadband deployment; draft ordinances governing use of rights of way and governing land use by communications providers (including wireless facilities providers); and draft agreements and franchises with communications and cable companies. Experience in public safety radio is a plus.

To apply, go to <https://www.bbklaw.com/about/join-our-team/current-openings/telecom-associate-dc-office>. Applicants must attach a resume, cover letter and transcript to be considered for employment. The self-apply feature is compatible with Internet Explorer 8, 9, 10 & 11, Mozilla Firefox for Windows, or Safari for Macintosh. FOR APPLE/MAC USERS, PLEASE TURN OFF YOUR POP-UP BLOCKER.

## In MEMORIAM

### Howard Jay Braun (June 1937 – December 2016)

Howard Jay Braun died on December 3, 2016, after a year-long battle with acute lymphoblastic leukemia. He was 79. Howard was a communications attorney for his entire career and an active member of the FCBA for many years.

He grew up in Lynbrook, New York. His undergraduate degree was from Brown University, in 1959, and his law degree was from New York University, in 1962.

Upon graduating from law school, Howard began his professional career at the FCC, in the Office of General Counsel. In 1966, he left the FCC and joined the law firm of Fly, Shuebruk, Bloom & Gaguine. In 1988 that firm merged with the New York firm Rosenman & Colin. Howard became a partner in Rosenman & Colin and managing partner of its Washington, DC office. In 2002, Rosenman & Colin

merged with Chicago-based Katten Muchin Zavis to form Katten Muchin Rosenman, and Howard became a partner in that firm. He retired from the Katten Muchin firm in 2009.

Howard served as Chair of the FCBA's Luncheon Committee for several years during the time when the Association had monthly luncheons with guest speakers, and no staff. He and his committee put in long hours organizing the details of these luncheons. Some senior members of the Association still remember arriving at the luncheons and seeing Howie (as we all knew him) at a table in the entryway, collecting checks and doling out tickets.

He also served as Chair of the Annual Seminar Committee.

Howie's long-time colleagues Shelley Sadowsky and Lee Shubert remember Howie as An extraordinary person to practice law with, infusing the workday with humor and seemingly boundless energy. Howie would often remark that

the practice of law was fun. Yet he took his responsibilities very seriously and, despite his often goofy demeanor, he was absolutely conscientious and meticulous regarding prompt, efficient and excellent service to his clients.

In his retirement, Howie mentored elementary, middle and high school students and was on the board of his local library -- the Davis Library in Bethesda. As a library board member he chaired the Program Committee, focusing his efforts on youth activities.

He is survived by his wife Karen, their sons David and Gary, and five grandchildren.

## Join the FCBA on Facebook!

Did you know that FCBA has a Facebook page? The FCBA Social Media Committee invites you to “Like” our page today to be in the loop for upcoming events, share fun pictures of your FCBA friends and colleagues, and grow your social media network! Come join the conversation! <https://www.facebook.com/CommunicationsBar/>.

## 2016 FCBA Membership Directories

The FCBA 2016 Membership Directories are available for purchase. Please use the order form on [page 23](#) to order additional copies for your office.

# 30th Annual CHAIRMAN'S DINNER



# 30th Annual CHAIRMAN'S DINNER

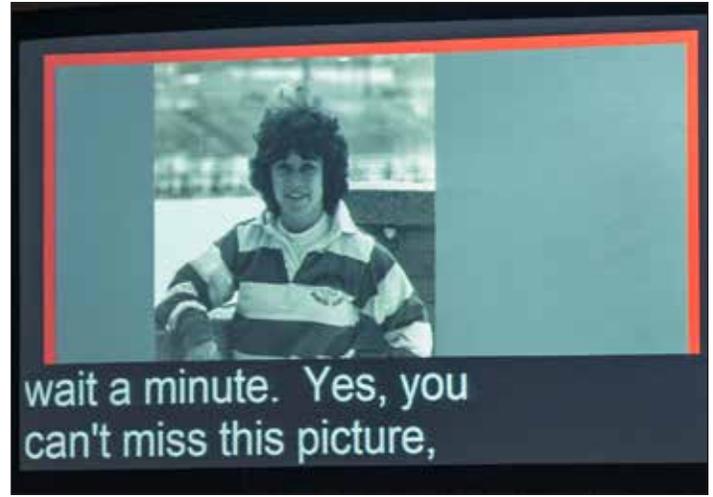


Photos by Mark Van Bergh

# 30th Annual CHAIRMAN'S DINNER



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## 30th Annual CHAIRMAN'S DINNER



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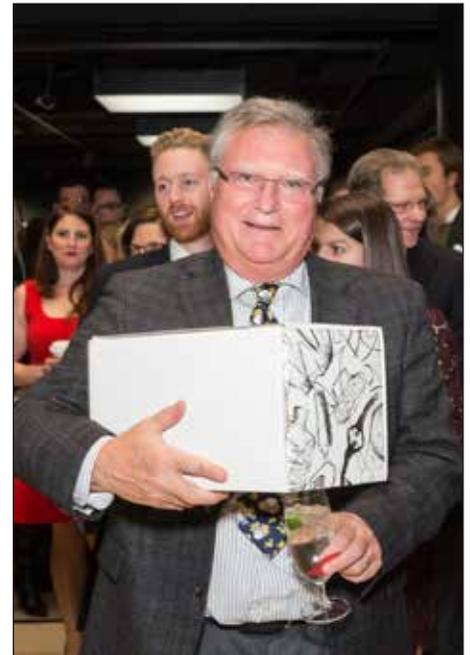
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# HOUSE OF SWEDEN *Holiday Party*



# HOUSE OF SWEDEN *Holiday Party*



# COMMITTEE/CHAPTER EVENT *Registration Form*

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

- Monday, February 6, 6:00 – 8:15 p.m. – Recent Developments in TCPA Litigation.** Location: Wiley Rein LLP, 1776 K Street, NW.  
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members  
**Registrations and cancellations due by 5:00 p.m., Friday, February 3, 2017.**
- Wednesday, February 8, 3:00 – 5:15 p.m. – Securing Spectrum: Unlicensed Technologies, Connected Vehicles, and Privacy.** Location: TBD.  
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members  
**Registrations and cancellations due by 12:00 Noon, Tuesday, February 7, 2017.**
- Thursday, February 16, 12:00 – 2:00 p.m. – Addressing the Privacy and Security Challenges of the Internet of Things.** Location: TBD.  
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members  
**Registrations and cancellations due by 5:00 p.m., Wednesday, February 15, 2017.**

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**CLE CREDIT:** FCBA will be requesting accreditation from the State Bars of Virginia and California for continuing legal education credit. If approved, forms for Virginia and California will be available at the Seminar Registration Desk. Please note that FCBA does not obtain CLE credit for other states. The FCBA will, however, assist with applications to other states, but attorneys must apply individually for credit courses and submit any forms and payments necessary directly to the state bar.

The number of credits corresponds with the number of hours of course time, i.e., a two-hour seminar equals 2.0 hours of credit.

## **PLEASE MAIL THIS FORM AND A CHECK MADE PAYABLE TO THE "FCBA" OR FAX OR EMAIL THE FORM TO:**

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1020 19th Street, NW • Suite 325 • Washington, DC 20036  
Phone: (202) 293-4000 • Fax: (202) 293-4317  
Email: [megan@fcba.org](mailto:megan@fcba.org)

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Copies of the 2016 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 5.75% 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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*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.*

# FEDERAL COMMUNICATIONS BAR ASSOCIATION 2016-2017 COMMITTEE AND CHAPTER *Registration*

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ORGANIZATION \_\_\_\_\_

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Descriptions of the focus and work of Standing Committees may be found in the Constitution and By-laws in the FCBA Directory and on the FCBA website.

**Please indicate your committee/chapter choices and return this form to:**  
 FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036  
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**NOTE: Most announcements of committee and chapter meetings and events will appear in the FCBA Newsletter and/or on the FCBA's website at [www.fcba.org](http://www.fcba.org).**

## Calendar

<b>January 26</b>	Homeland Security Committee Brown Bag Lunch
<b>February 6</b>	CLE Seminar: Recent Developments in TPCA Litigation presented by the Judicial Practice Committee
<b>February 8</b>	CLE Seminar: Securing Spectrum: Unlicensed Technologies, Connected Vehicles, and Privacy presented by the Engineering and Technical and Wireless Telecommunications Committees
<b>February 15</b>	Seventh Annual Mentoring Supper presented by the FCBA Young Lawyers Committee and the WBA's Communications Law Forum
<b>February 16</b>	CLE Seminar: Addressing the Privacy and Security Challenges of the Internet of Things presented by the Privacy and Data Security Committee
<b>February 24-25</b>	National Telecommunications Moot Court Competition held at the Catholic University of America Columbus School of Law
<b>April 23</b>	FCBA/ABA 36th Annual "Representing Your Local Broadcaster"
<b>May 5-7</b>	Annual Seminar, Nemaocolin Woodlands Resort, Farmington, PA



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