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## 2012 FCBA Annual Seminar to be Held at the Hyatt Regency Chesapeake Bay on May 4 – 6



Hyatt Regency Chesapeake Bay Resort

The FCBA Annual Seminar Committee is hard at work creating a program for the 2012 FCBA Annual Seminar being held **Friday, May 4 – Sunday, May 6**. The Annual Seminar traditionally has consisted of various presentations and panels featuring a range of government officials, industry leaders and topics, as well as informal recreational and social activities designed to facilitate interaction among the attendees. FCC Commissioners and Bureau Chiefs have already committed to participate in the program.

The 2012 Annual Seminar will be held at the Hyatt Regency Chesapeake Bay Golf Resort, Spa and Marina in Cambridge, Maryland.

An extraordinary Eastern Shore experience awaits you less than a two hour drive from Washington, DC. The 400 room resort is beautifully situated on 400 acres on the banks of the Choptank River. Spend time at one of the many pools, tee up for championship golf, play tennis, fish or sail.

The resort boasts the following attractions and activities:

- The Stillwater Spa
- The River Marsh Golf Club
- Camp Hyatt at the Pirate's Cove, offering a fun-filled activities program for kids

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## Nominations for "Excellence in Government Service" Award Due March 16

In 2008, the Federal Communications Bar Association established an award, to be provided annually, to recognize the contributions of federal government employees to the field of communications. Recipients of the award include Daniel "Mack" Armstrong, Evan Kwerel, Julius Knapp, and Mary Beth Richards. The fifth recipient will be announced in Spring 2012.

All current federal government employees in communications-related positions (not limited to attorneys or FCBA members) are eligible nominees. The FCBA will consider an individual's dedication to excellence and long-term commitment to federal government public service in selecting the individual to

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## This Month's Key Events

### Homeland Security and Emergency Communications Committee CLE Seminar

**Date/Time:** Thursday, February 9, 6:00 – 8:15 p.m.  
**Location:** Wiley Rein LLP, 1776 K Street, NW  
**Topic:** CALEA Enforcement: Don't Find Out the Hard Way  
 ▶ SEE PAGE 4

### Wireless Telecommunications Committee Lunch

**Date/Time:** Thursday, February 16, 12:15 – 2:00 p.m.  
**Location:** Wiley Rein LLP, 1776 K Street, Main Conference Center  
**Topic:** Distracted Driving  
 ▶ SEE PAGE 8

### Mass Media and Video Programming & Distribution Committees CLE Seminar

**Date/Time:** Thursday, February 16, 6:00 – 8:15 p.m.  
**Location:** Wiley Rein LLP, 1776 K Street, NW  
**Topic:** Election 2012: Political Advertising Issues for Broadcasters and MVPDs  
 ▶ SEE PAGE 4

### An Evening of Mentoring for Communications Lawyers

Presented by the Young Lawyers Committee and the WBA's Communications Law Forum  
**Date/Time:** Tuesday, February 28, 6:30 – 8:30 p.m.  
**Location:** Hogan Lovells US LLP, 555 13th Street, NW  
 ▶ SEE PAGE 8

**Online Registration is Available!! Visit the FCBA website.**

## PRESIDENT'S *Message*

### DEAR MEMBERS:

Our programming this month is anchored by two events that share a common theme. The first is the **National Telecommunications Moot Court Competition** that is scheduled for February 10-11 at the Catholic University of America Columbus School of Law, and the second is **An Evening of Mentoring for Communications Lawyers** that is scheduled for February 28 at Arnold & Porter. The common theme, of course, is the FCBA's commitment to the training and development of young lawyers, and I would encourage each of you to attend and participate in one or both events.



The importance of training and developing young lawyers is something on which everyone in our profession agrees. None of us became the lawyer we are today on our own. Historically, the practice of law involved an apprenticeship; and while formal apprenticeships may be relics of a bygone era, it nevertheless remains true today that some of the best training and development is the result of being taught — that is, listening and working with more senior practitioners, emulating them, and ultimately acting on your own, first under supervision and then independently.

Despite widespread consensus on the importance of effective training and development, it remains a vexing challenge for our profession. Part of this challenge may be generational; the expectations of younger lawyers — the issues they care about, the way they communicate, their goals and aspirations — simply may differ from those of more seasoned practitioners. Another challenge may have to do with increased demands on our time, whether real or perceived.

Law firms, companies, government offices, and other institutions each have reacted to these challenges in different ways. But, on the whole, their reactions typically have focused on developing institutionalized programs for training and development. At its best, this approach can result in mentor-mentee pairings that actually work, where the individuals involved share a common bond and are able to carry the relationship beyond the perfunctory monthly lunch. It also can result in substantive and engaging presentations and group discussions where an issue is presented, dissected and evaluated.

But institutionalized programs also can yield a stilted and unsatisfactory result — the assigned mentor or mentee who never shows up or follows through, the dry lecture on the finer points of the Administrative Procedure Act, or the dreaded checklist of “things you must do” to advance or be promoted.

Over the years, I have been involved in various forms of training and development. I have been on the receiving end of institutionalized programs, and, dare I say it, I also have been responsible for helping to create and shape some of them. These programs have their place. But they are, at best, imperfect surrogates for the real thing.

We can do better. Junior lawyers should actively seek out training and development opportunities, as well as mentors, and understand that there is no single opportunity or approach that will meet every need. Opportunities for training and development sometimes can lurk in unlikely places, even in the most dreaded projects, and a lesson can be wrung from just about every experience. More seasoned lawyers should understand that devoting time to training and developing young lawyers can be both an altruistic endeavor and also smart business. And, of course, everyone should actively promote training and development by attending the National Telecommunications Moot



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## 2012 FCBA ANNUAL Seminar

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- The Blue Heron Rookery, the resort's 18 acre wildlife preserve
- Water sports including sailing, kayaking and paddleboats
- Indoor and outdoor pools, including the activities pool with waterslide, a children's pool and the Infinity pool
- Poolside movies and s'mores at the Grand Fireplace

Or a short drive from the hotel:

- Go antiquing in nearby Cambridge, Easton or St. Michael's.
- Explore museums and landmarks, such as the Brannock Maritime Museum, James B. Richardson Maritime Museum, Neild Museum and Herb

Garden, Harriet Tubman Museum, the Dorchester Arts Center or the Dorchester County Historical Society, all within easy reach of the resort.

- Explore the 27,000 acres of Blackwater National Wildlife Refuge.

Additional information about the resort and its surroundings can be found at [www.chesapeakebay.hyatt.com](http://www.chesapeakebay.hyatt.com). Future newsletters and the website will have further information about the schedule, agenda, and registration procedures.

Please see [page 14](#) for information on the government and academic scholarships being offered. See [page 8](#) for room reservation information.



The River Marsh Golf Club

## PRESIDENT'S MESSAGE

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Court Competition and An Evening of Mentoring for Communications Lawyers!

I want to thank the co-chairs of the **Moot Court Committee** — **Enrique Armijo, Justin Faulb, Matthew Gerst** and **Joshua Turner** — for their hard work developing this year's competition. I also want to thank the co-chairs of the **Young Lawyers Committee** — **Mark Brennan** and **Brendan Carr** — and the co-chairs of the WBA's Communications Law Forum — **Jennifer Duane, Lynn Milne**, and **Laura Mow** — for their joint effort in organizing this month's mentoring event. We are fortunate to be part of a bar that cares so much about training and development, and the efforts of these individuals and the dozens of others who have volunteered to participate in these events should be commended.

**Yaron Dori**

## COMMITTEES AND CHAPTERS *in the Spotlight*

### Video Programming and Distribution Committee

The Video Distribution Committee kicked off Fall 2011 with two events. The first event featured Bill Lake, Chief of the FCC's Media Bureau and his key staff members. The second event, co-sponsored with the Young Lawyers Committee, was a lunch panel on transitioning from a law firm to in-house counsel, and how to best support your in-house clients. Speaking on the panel were: Alison Minea, Dish Network; Cristina Pauze, Time Warner Cable; Lynn Sheridan, Comcast; Megan Stull, Google,

and Barry Ohlson, Cox Communications. There was a great turnout at both events.

We also are kicking off 2012 strong. On February 1st, we sponsored a CLE on "Video Programming Accessibility." Speakers included: Jill Lockett, NCTA; Maria Browne, Davis Wright Tremaine; Mark Richert, Director of Public Policy, American Foundation for the Blind; Karen Strauss, FCC; Julie Kearney, CEA; and Margaret Tobey, NBC Universal. Also in February, we will be hosting two events jointly with the Mass Media Committee. On February 14, during a brown bag lunch, representatives of the cable and satellite industries and the broadcast industries will be debating retransmission consent

issues. Also please mark your calendars for a CLE on Political Advertising on February 16th, a topic that will certainly be of interest in this election year.

We are planning additional brown bag events for the spring, and we welcome your input on suggested topics. Keep an eye on the FCBA newsletter for monthly announcements on these events. The Committee encourages all members to sign up for its activities. Please feel free to contact any of the co-chairs, **Stacy Fuller**, [sfuller@directv.com](mailto:sfuller@directv.com), **Linda Kinney**, [linda\\_kinney@mpaa.org](mailto:linda_kinney@mpaa.org); **Ronald London**, [ronnielondon@dwt.com](mailto:ronnielondon@dwt.com); and **Chris Bjornson**, [cbjornson@steptoe.com](mailto:cbjornson@steptoe.com), for more information.



### Thursday, February 9, 6:00 – 8:15 p.m. CALEA Enforcement: Don't Find Out the Hard Way

The FCBA **Homeland Security and Emergency Communications Committee** will hold a CLE on **Thursday, February 9, 2012** from **6:00 – 8:15 p.m.** on CALEA Enforcement: Don't Find Out the Hard Way. It will be held at Wiley Rein LLP, 1776 K Street, NW, Washington, DC.

The Communications Assistance for Law Enforcement Act, or "CALEA," was enacted in 1994 to preserve the ability of law enforcement to conduct lawful electronic surveillance on telecommunications networks. Over the past year, the Federal Bureau of Investigation has encountered certain non-compliant communications carriers and brought them to the attention of the Federal Communications Commission.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#).

### Agenda

**6:00 – 6:05 p.m.**

#### **WELCOME AND INTRODUCTIONS**

**Frederick ("Rick") M. Joyce**, Chair, Communications Group, Venable LLP and Co-Chair, Homeland Security and Emergency Communications Committee

**6:05 – 7:05 p.m.**

#### **PART I: THE FCC'S CALEA ENFORCEMENT PROCEEDINGS**

Panelists will address the recent trend of FCC Enforcement Bureau inquiries into the compliance of certain telecommunications carriers with the Communications Assistance for Law Enforcement Act ("CALEA"). The discussion will focus on the enforcement goals of the FCC and law enforcement, the nature and scope of any non-compliance, and factors that communications counsel should consider when assessing their clients' CALEA compliance strategies.

*Moderator:*

**Rick Joyce**, Chair, Communications Group, Venable LLP and Co-Chair, Homeland Security and Emergency Communications Committee

*Speakers:*

**Todd P. McDermott**, Vice President, Verint Systems, Inc.

**Mike Warren**, former Chief, CALEA Implementation Section, Federal Bureau of Investigation

**7:05 – 7:15 p.m.**

#### **BREAK**

**7:15 – 8:15 p.m.**

#### **PART II: THE CONGRESSIONAL CALEA "GOING DARK" PROCEEDING**

This panel will focus on the stated proposal of the Federal Bureau of Investigation to update and improve the CALEA statute. Panelists will explore issues such as the potential expansion of the statutory scope of coverage and potential new technical capability mandates.

*Moderator:*

**Michael Altschul**, Senior Vice President, General Counsel at CTIA – The Wireless Association

*Speakers:*

**Joel M. Margolis**, Director, Policy Advocacy – Digital Economy IT and Media & Entertainment, U.S.-India Business Council

**Gregory T. Nojeim**, Senior Counsel at the Center for Democracy & Technology and Director of its Project on Freedom, Security & Technology  
**Mike Warren**, former Chief, CALEA Implementation Section, Federal Bureau of Investigation

### Thursday, February 16, 6:00 – 8:15 p.m. Election 2012: Political Advertising Issues for Broadcasters and MVPDs

The FCBA **Mass Media and Video Programming and Distribution Committees** will hold a CLE on **Thursday, February 16, 2012** from **6:00 – 8:15 p.m.** on political advertising issues. With analysts forecasting that \$4.9 billion or more will be spent on political advertising in the 2012 election cycle, broadcasters and MVPDs alike can expect to benefit from a hot political market. The addition of SuperPACS to the mix brings potential new revenue sources but also the potential for new legal issues. This CLE will explore how media buyers and sellers apply the FCC's political broadcasting rules in a real-world setting, and will provide practical advice to practitioners on navigating the numerous legal issues presented by a constantly changing political advertising landscape. It will be held at Wiley Rein LLP, 1776 K Street, NW, Washington, DC.

## Contact Information Updates

We'd like to remind everyone that if they have any changes to their contact information that they notify the FCBA, [fcba@fcba.org](mailto:fcba@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.

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## FEBRUARY 16 CLE

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To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#).

### Agenda

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

#### 6:05 – 7:05 p.m. PANEL I: MEDIA BUYERS VS. MEDIA SELLERS: PRESSING YOUR LUCK

*Moderator:*

**Jack Goodman**, Law Offices of Jack N. Goodman

*Speakers:*

**Daniel Jester**, GMMB (Democratic media buyer)

**Mike Lewis**, FOX station WTTG(TV)

**Kyle Roberts**, Smart Media Group (invited) (Republican media buyer)

#### 7:05 – 7:15 p.m. BREAK

#### 7:15 – 8:15 p.m. PANEL II: RECENT TRENDS AND DEVELOPMENTS IN THE LAW

*Moderator:*

**Jack Goodman**, Law Offices of Jack N. Goodman

*Speakers:*

**Bobby Baker**, Media Bureau, FCC

**Ann Bobeck**, National Association of Broadcasters

## Thursday, March 1, 6:00 – 8:15 p.m. Internet Delivery of Television: Over-The- Top and IP

The FCBA **Intellectual Property Committee** will hold a CLE on Thursday, **March 1, 2012** from **6:00 – 8:15 p.m.** on

Internet Delivery of Television: Over-The-Top and IP. It will be held at Covington & Burling, 1201 Pennsylvania Avenue, NW, Washington, DC.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#).

### Agenda

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

#### 6:05 – 7:00 p.m. A BRIEF TECHNOLOGY TUTORIAL ON IPTV AND OVER-THE-TOP INTERNET DELIVERY

Internet Protocol (“IP”) delivery of video programming can occur in several different ways that have vastly divergent impacts on the intellectual property issues that are raised by the technology. IPTV can refer to a closed system, such as AT&T’s Uverse system, which is perceived by consumers to be a cable system but uses IP technology. Or IP delivery of video signals can be streamed over the public Internet, raising a host of issues relating to geographic scope and format. Jack Perry, the founder of Syncbak, a company that has created an innovative technology for streaming television signals over the public Internet while maintaining geographic restrictions required by upstream copyright agreements, will provide an overview of the technology issues at play on Internet video delivery.

*Speaker:*

**Jack Perry**, Founder and CEO, Syncbak

#### 7:00 – 7:10 p.m. BREAK

#### 7:10 – 8:15 p.m. INTELLECTUAL PROPERTY ISSUES RAISED BY INTERNET DELIVERY OF VIDEO

Internet delivery of television signals raises significant intellectual property issues, particularly when that delivery occurs without the consent or even

involvement of the program owner. Several leading practitioners in the media/intellectual property field will provide their perspectives on current systems streaming television signals, the effect of past enforcement actions against Ivi.tv and others, and the potential for creating a system for Internet delivery of programming that is consistent with copyright expectations.

*Moderator:*

**Kurt Wimmer**, Covington & Burling LLP

*Speakers:*

**Robert Garrett**, Arnold & Porter LLP  
**Michael Nilsson**, Wiltshire & Grannis LLP

**Wade Hargrove**, Brooks Pierce  
McLendon Humphrey & Leonard, LLP

## Thursday, March 15, 6:00 – 8:15 p.m. Developments in the Effort to Improve Broadband Adoption

The FCBA **Broadband Committee** will hold a CLE on **Thursday, March 15, 2012** from **6:00 – 8:15 p.m.** that will examine the broadband adoption challenge and discuss the several broadband adoption initiatives that already are underway, including commitments arising out of recent merger transactions and the FCC’s recently announced Connect to Compete program. The CLE also will examine the recently adopted Lifeline broadband adoption program among other broadband adoption issues. It will be held at Arnold & Porter LLP, 555 12th Street, NW, Washington, DC.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#).

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### Wednesday, March 21, 2:00 – 6:00 p.m. 7th Annual Privacy & Data Security Symposium “Privacy Dangers, Dilemmas & Solutions for a Digital Age”

The FCBA Privacy and Data Security Committee and the ABA Communications Law Forum will hold the 7th Annual Privacy & Data Security Symposium on **Wednesday, March 21, 2012** from **2:00 – 6:00 p.m.** Speakers will include government regulators, in-house counsel, practitioners in private practice, trade associations, and consumer/public interest organizations. This CLE will be held at Arnold & Porter LLP, 555 12th Street, NW, Paul Porter Room, Washington, DC.

### Attention Adjunct Professors!

The FCBA Foundation would like to expand the number of law student applicants for the Foundation's internship stipend program, which awards funds each Spring to enable outstanding law students to serve as interns at the FCC, NTIA, and other communications-related government agencies. Earlier this year, the Foundation awarded eight summer internship stipends ranging from \$2,000 to \$5,000, and plans are now underway for Spring 2012 stipend awards. *If you teach or interact with law students and would be willing to help distribute applications or otherwise encourage law students to apply to the internship stipend program, please contact Kyle Dixon ([kyle.dixon@timewarner.com](mailto:kyle.dixon@timewarner.com)) or Edgar Class ([eclass@wileyrein.com](mailto:eclass@wileyrein.com)).*

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#).

#### THREE SUBSTANTIVE SESSIONS:

■ **Can Social Networking be Private? – Privacy Issues Related to Advertising and Marketing on Social Network Platforms**

Facebook, Twitter, Foursquare and other social network platforms are the fastest growing media vehicles for commercial use, including marketing and advertising a company's goods and services. We will explore social network platforms' own privacy requirements and limitations for their users regarding how personal information is collected, used and disclosed, as well as rules and guidelines for conducting promotions and marketing using the social network. Social network platforms are often integrated into a company's own website and online presence and we will discuss the potential privacy issues with the management of merged databases and compliance with various federal and state laws, such as the Children's Online Privacy Protection Act and California Online Privacy Protection Act.

■ **The Buck Stops Here! – Managing the Liability and Risks of Engaging Third Party Vendors and Service Providers**

Most businesses use a third party to manage their websites and/or databases, develop mobile applications, send promotional and marketing tweets, text messages or emails, process online payment transactions, provide software and services for cloud computing, or administer social networking platforms and contests and sweepstakes. We will identify the risks and liabilities for such relationships, and discuss the due diligence, contracting, and post-engagement responsibilities required under state and federal statutes, regulations or guidelines, and industry best practices for engaging support for various digital-based services and products.

■ **Smart Privacy Choices for Mobile Apps**

Mobile apps are breaking new ground not only in terms of what they can make your mobile device do, but also in terms of the data privacy and security debate. From games to location-based services, these apps do new and (sometimes) surprising things with your data. While the collection of personal information through mobile apps creates significant opportunities, it also raises privacy risks for carriers, handset and operating system manufacturers, and apps developers, particularly when the application of laws and regulations written before these services existed is unclear. We will explore how apps-related privacy concerns have been and are being addressed under current statutes, regulations, class action lawsuits and self-regulatory frameworks and will offer practical guidance for navigating the road ahead.

**Confirmed Speakers to Date:** Steve DelBianco, NetChoice; Yaron Dori, Covington & Burling; John Heitmann, Kelly Drye & Warren; Maneesha Mithal, Division of Privacy and Identity Protection, FTC; Morgan Reed, Association for Competitive Technology; S. Jenell Trigg, Lerman Senter; Karen Zacharia, Verizon and Marc J. Zwillinger, ZwillGen.

For more information, contact **S. Jenell Trigg**, Co-Chair, [strigg@lermansenter.com](mailto:strigg@lermansenter.com) or 202-416-1090.

**Sponsors:** Covington & Burling, Davis Wright Tremaine, Faegre Baker Daniels, Fletcher Heald & Hildreth, Hiscox Insurance Company, Jackson Walker, Kelley Drye & Warren, Kelley Drye/White O'Connor, Lerman Senter, Levine Sullivan Koch & Schulz, Sheppard Mullin Richter & Hampton, Thomas & LoCicero, Vinson & Elkins and Wilkinson Barker Knauer.



# COMMITTEE AND CHAPTER *Events*

## Broadband Committee

**Event:** CLE Seminar

**Date/Time:** Thursday, March 15, 6:00 – 8:15 p.m.

**Location:** Arnold & Porter LLP, 555 12th Street, NW

**Topic:** Developments in the Effort to Improve Broadband Adoption

**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 19](#).

## Engineering and Technical Practice Committee

**Event:** Brown Bag Lunch

**Date/Time:** Tuesday, February 21, 12:15 – 1:45 p.m.

**Location:** T-Mobile, 601 Pennsylvania Avenue, NW, North Building, Suite 800. For security and planning purposes, please RSVP in advance.

**Topic:** Federal advisory committees and how the recommendations could impact industry and regulation. Regulators look to a number of advisory committees to provide insight into the direction of technology direction and help mold the regulatory addenda. This session will focus on three key Committees - the **President's Council of Advisors on Science and Technology** (PCAST), NTIA's Commerce Spectrum Management Advisory Committee (CSMAC) and the FCC's Technology Advisory Committee (TAC). Dennis Roberson, President and CEO, Roberson Associates and former Chief Technology Officer of Motorola is an active member on each of these and will provide an overview of the committees and their recommendations. Join us for what promises to be an interesting discussion of technology and the advisory committee recommendations that have the potential to shape regulation.

**For more information:** Contact Steve Sharkey, [steve.sharkey@t-mobile.com](mailto:steve.sharkey@t-mobile.com).

**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

**Event:** Brown Bag Lunch

**Date/Time:** Wednesday, March 7, 12:15 – 1:45 p.m.

**Location:** National Association of Broadcasters, 1771 N Street, NW. For security and planning purposes, please RSVP in advance.

**Topic:** TV Whitespace – Progress and Impressions. Some 8 years after the Commission began considering a framework use of the TV Whitespace, the structure and rules are in place and deployment has begun. Come and hear from Spectrum Bridge, the first company authorized to provide a TV Bands database system that is at the heart of protecting TV Broadcast operations, wireless microphones and other users of the broadcast

band as well as the National Association of Broadcasters about their experience with the database and any challenges that remain.

**For more information:** Contact Scott Goodwin, [sgoodwin@nab.org](mailto:sgoodwin@nab.org).

**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

## FCC Enforcement Committee

**Event:** Brown Bag Lunch

**Date/Time:** Tuesday, February 28, 12:00 – 1:30 p.m.

**Location:** Hogan Lovells US LLP, 555 Thirteenth Street, NW, The Courtroom Conference Room

**Topic:** Meet the FCC Enforcement Bureau **Speakers:** Michele Ellison, Bureau Chief, Enforcement Bureau, FCC; and Enforcement Bureau Front Office Managers and Division Chiefs

**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

## Homeland Security and Emergency Communications Committee

**Event:** CLE Seminar

**Date/Time:** Thursday, February 9, 6:00 – 8:15 p.m.

**Location:** Wiley Rein LLP, 1776 K Street, NW  
**Topic:** CALEA Enforcement: Don't Find Out the Hard Way

**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 19](#).

**Event:** HSECC Luncheon in Association with NENA: The 9-1-1 Association

**Date/Time:** Wednesday, March 28, 12:15 – 1:30 p.m.

**Location:** L'Enfant Plaza Hotel, 480 L'Enfant Plaza, SW, Monet Ballroom

**Topic:** PSHSB Chief Admiral Jamie Barnett will discuss the Bureau's goals and challenges for the year ahead in public safety and cybersecurity. Lunch will be provided by NENA. Due to space considerations, there is a strict limit of 50 FCBA guests. Please RSVP via the link below by Wednesday, March 21st, 2012.

**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

**\*You MUST RSVP ahead of time, since lunch will be provided.**

## Intellectual Property Committee

**Event:** CLE Seminar

**Date/Time:** Thursday, March 1, 6:00 – 8:15 p.m.

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

**Topic:** Internet Delivery of Television: Over-The-Top and IP

**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 19](#).

## Mass Media Committee

**Event:** Brown Bag Lunch co-hosted by the Video Programming & Distribution Committee

**Date/Time:** Tuesday, February 14, 12:15 – 1:30 p.m.

**Location:** Wiley Rein LLP, 1776 K Street, NW  
**Topic:** Retransmission Consent from the Perspective of the Broadcasters and the Distributors

**Speakers:** Erin Dozier, NAB; Kevin Latek, Dow Lohnes/Gray Television; Ross Lieberman, American Cable Association; Cristina Pauze, Time Warner Cable

**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

**Event:** CLE Seminar co-sponsored by the Video Programming & Distribution Committee

**Date/Time:** Thursday, February 16, 6:00 – 8:15 p.m.

**Location:** Wiley Rein LLP, 1776 K Street, NW  
**Topic:** Election 2012: Political Advertising Issues for Broadcasters and MVPDs

**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 19](#).

## Privacy and Data Security

**Event:** CLE Seminar presented in association with the ABA Communications Law Forum

**Date/Time:** Wednesday, March 21, 2:00 – 6:00 p.m.

**Location:** Arnold & Porter LLP, 555 12th Street, NW

**Topic:** The 7th Annual ABA/FCBA Privacy & Data Security Symposium

**For more information:** See [page 6](#).

**To register:** FCBA Members should [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#). ABA members should send in the registration form.

## Video Programming and Distribution Committee

**Event:** Brown Bag Lunch co-hosted by the Mass Media Committee

**Date/Time:** Tuesday, February 14, 12:15 – 1:30 p.m.

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

**Topic:** Retransmission Consent from the Perspective of the Broadcasters and the Distributors

**Speakers:** Erin Dozier, NAB; Kevin Latek, Dow Lohnes/Gray Television; Ross Lieberman, American Cable Association; Cristina Pauze, Time Warner Cable

**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

## COMMITTEE AND CHAPTER *Events*

### VIDEO PROGRAMMING

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**Event:** CLE Seminar co-sponsored by the Mass Media Committee  
**Date/Time:** Thursday, February 16, 6:00 – 8:15 p.m.  
**Topic:** Election 2012: Political Advertising Issues for Broadcasters and MVPDs  
**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 19](#).

### Wireless Telecommunications Committee

**Event:** Luncheon  
**Date/Time:** Thursday, February 16, 12:15 – 2:00 p.m.  
**Location:** Wiley Rein LLP, 1776 K Street, NW, Main Conference Center  
**Topic:** Distracted Driving is estimated to be responsible for more than 5,000 deaths annually on America's highways. Our panelists will discuss the science behind manual, visual and cognitive distraction and the evolving law and regulations affecting motorists and motor carriers. Panelists will include distinguished representatives from the National Highway Transportation and Safety Administration, the National Safety Council, and other experts in the field.  
**To register:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#).

### Wireline Committee

**Event:** Brown Bag Lunch  
**Date/Time:** Wednesday, February 15, 12:15 – 2:00 p.m.  
**Location:** Kelley Drye & Warren, LLP, 3050 K Street, NW, Suite 400  
**Topic:** USAC's role in USF contribution audits and appeals. Representatives from USAC's General Counsel's office will be available to discuss your questions concerning the USF audit and appeal process.  
**Speakers:** David Capozzi, Acting General Counsel, USAC  
**To RSVP:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

### Young Lawyers Committee

**Event:** Brown Bag Lunch  
**Date/Time:** Tuesday, February 21, 12:15 – 1:30 p.m.  
**Location:** Holland & Knight, 2099 Pennsylvania Avenue, NW, Suite 100  
**Topic:** The First Amendment in telecom law. This brown bag will feature a discussion of hot topics in First Amendment law. Panelists will provide an overview of the various ways that First Amendment issues arise in telecom-related legislation, litigation, and regulatory matters.  
**Speakers:** TBA  
**RSVP to:** Drew Shenkman at [drew.shenkman@hklaw.com](mailto:drew.shenkman@hklaw.com) or Brendan Carr at [bcarr@wileyrein.com](mailto:bcarr@wileyrein.com)

**Event:** Mentoring event co-sponsored by the WBA's Communications Law Forum  
**Date/Time:** Tuesday, February 28, 6:30 – 8:30 p.m.  
**Location:** Hogan Lovells US LLP, 555 13th Street, NW  
**Topic:** An Evening of Mentoring for Communications Lawyers  
**For more information:** See [page 10](#).  
**To register:** Go to the "Upcoming Events" at [www.wbadc.org](http://www.wbadc.org). Registration for this program may close early, so register soon! To receive a reduced member rate, use FCBAMENTOR as a registration password.

### Atlanta Chapter

**Event:** Discussion and Networking Event  
**Date/Time:** Thursday, February 16, 5:30 p.m.  
**Location:** Crown Plaza Ravinia, 4355 Ashford Dunwoody Road, Atlanta, GA  
**Topic:** Telehealth in Georgia: Telecommunications and Health Care Industry Implications  
**Speakers:** Dr. Mark Braunstein, Assoc. Dir., Health Systems Institute, Georgia Tech; Paula Guy, Executive Director, Georgia Partnership for Telehealth; Jim Kortum, Vice-President – Georgia, Windstream Communications.  
Moderator (invited): Honorable Judson Hill, Georgia Senate  
**RSVP to:** [kwoods@fh2.com](mailto:kwoods@fh2.com) \*(FCBA members should RSVP to ensure attending the event at no charge.)

### New York Chapter

**Event:** Lunch and Panel Discussion  
**Date/Time:** Thursday, February 9, 12:00 – 2:30 p.m.  
**Location:** Brown Rudnick, LLP, 7 Times Square, New York, NY  
**Topic:** Network Reliability and Interoperability of Communications Networks  
**More information:** Includes a keynote from Jamie Barnett, Jr., Rear Admiral (Ret.), Chief, Public Safety and Homeland Security Bureau, followed by a panel discussion moderated by Erika Olsen, Senior Legal Counsel, Public Safety and Homeland Security Bureau. Panelists include Matthew Gerst, Counsel, External & State Affairs, CTIA – The Wireless Association; Brendan Kasper, Senior Regulatory Counsel, Vonage; Michael Rowley, Interim Chief - Network Reliability, Office of Telecommunications, NYS Department of Public Service; Harold Salters, Director, Federal Regulatory Affairs, T-Mobile, in his capacity as company representative to the ATIS NRSC; and Richard Zinno, Manager Network Operations, Sprint Nextel.  
**To register:** [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 19](#).

## 2012 FCBA Annual Seminar, May 4 - 6 Hyatt Regency Chesapeake Bay Resort

### Make Your Room Reservations Now!

The Hyatt Regency Chesapeake Bay Resort utilizes an online reservation system to book rooms for the 2012 FCBA Annual Seminar.

Go to <https://resweb.passkey.com/go/FCBA> to make your room reservations today.

#### ROOM RATES:

Single/Double Occupancy - \$240.00 per night  
Triple Occupancy - \$265.00 per night  
Quadruple Occupancy - \$290.00 per night

Government Per Diem Rooms – contact the FCBA office for information on special room rates for government employees

\* Rates do not include state and local taxes or \$18.00 per night resort fee.



## New York Chapter

The New York Chapter is ushering in the New Year with a wide variety of events and programs due to the diligent efforts of the Chapter's Co-Chairs and Steering Committee. Last year, **LaVonda Reed-Huff**, Professor of Law at Syracuse University College of Law, and **Susanna Zwerling**, Senior Counsel, Merger Compliance for NBC Universal, joined **Jennifer Kostyu**, Partner at Wilkinson Barker Knauer, LLP, and **Michele Thomas**, Principal Corporate Counsel for T-Mobile USA, as co-chairs of the New York Chapter. In addition, the Chapter welcomed several new members to the Steering Committee in 2012. The Steering Committee, which brings extensive knowledge, expertise and dedication to the Chapter, currently includes (\*new members):

- **Mary Burgess** – AT&T
- **Christopher Arfaa** – Arfaa Law, P.C.
- **David Bronston\*** – Phillips Lytle LLP
- **Christopher Cantor** – Marshlian & Donahue, LLC, The CommLaw Group
- **Stefanie Desai\*** – Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C.
- **William Flynn** – Harris Beach PLLC
- **Elise Hiller\*** – Klein Law Group PLLC
- **Julie Laine** – Time Warner Cable
- **Michael Santorelli** – Advanced Communications Law & Policy Institute, New York Law School

- **Alan Zoraki** – Klein Law Group PLLC

The New York Chapter also is excited about several partnerships with other legal interest groups, including the Government Law Center of Albany Law School, Syracuse University College of Law, New York Law School and the Practising Law Institute. For example, this past Fall, the New York Chapter hosted a continuing legal education program in collaboration with the Government Law Center of Albany Law School that focused on the progress of various goals and objectives set forth in the National Broadband Plan. In addition, the New York Chapter held a networking happy hour on January 30th following the Practising Law Institute's Broadband and Cable Industry Law 2012 Program. The Chapter also is working with its partners on several upcoming events and programs, discussed below. The Chapter looks forward to strengthening and expanding these valuable relationships in 2012.

The New York Chapter expects 2012 to be a busy year, with multiple events throughout the state, including:

- **February 9th in New York City** – A lunch program on Network Reliability and Interoperability of Communications Networks that will include a keynote from **Jamie Barnett, Jr., Rear Admiral (Ret.), Chief of the Public Safety and**

**Homeland Security Bureau of the FCC**, and a panel discussion of industry and state government representatives. For more information, see [page 8](#).)

- **March 30th in Albany – Federal Communications Commissioner Mignon Clyburn** will be visiting Albany and joining the New York Chapter for a meet-and-greet program.
- **March 31st at Syracuse University** – Syracuse University College of Law 7th Annual Communications Law & Policy Symposium entitled “We the People: Broadband Access, Influencing the Vote, and Preserving Localism in a Changed Media Landscape.”
- **Syracuse University (date TBD)** – A program focusing on Privacy and Cyber Security that will include a keynote and panel discussions from leading experts in the privacy and cyber security fields.

Additional programs also are in early planning stages for late Spring/early Summer 2012, and may include events on Local Public Education and Government Programming (PEG), and the future of telecommunications with a focus on the Wall Street analyst community.

## National Telecommunications Moot Court Competition – Call for Volunteers

The FCBA National Telecommunications Moot Court Competition Committee is pleased to announce that the 18th Annual National Telecommunications Moot Court Competition will take place at the Catholic University of America, Columbus School of Law on **Friday, February 10** and **Saturday, February 11, 2012**.

The competition is looking for judges for oral arguments. Judges are needed for Friday the 10th at 7:00 p.m. and Saturday the 11th at 9:00 a.m. and 11:00 a.m. If you would like to volunteer as a judge in any (or all) of the time slots, please contact **Wesley Gee** at [nattel2012@gmail.com](mailto:nattel2012@gmail.com). No expertise is necessary.

Originally established by the Institute for Communications Law Studies and the FCBA, the National Telecommunications Moot Court Competition provides students the opportunity to argue before private and government practitioners in the communications field. This year's problem blends issues from last year's BART system wide shutdown of underground cell phone service and the Occupy Wall Street protests.

Please join us for the final round of oral arguments which will begin at 4:00 p.m. on February 11, 2012 in the Slowinski Moot Court Room. A reception will follow at approximately 5:30 p.m.

### Tuesday, February 28, 6:30 – 8:30 p.m. “An Evening of Mentoring for Communications Lawyers”

Presented by the FCBA's Young Lawyers Committee and the WBA's Communications Law Forum

**Location:** Hogan Lovells US LLP, 555 13th Street, NW, Washington, DC 20004 (Closest metro stop is Metro Center)

Please join the FCBA's Young Lawyers Committee and the Women's Bar Association's Communications Law Forum for our second joint mentoring supper. At the current time, mentors include **Yaron Dori** and **Mace Rosenstein** of Covington & Burling, **Kathleen Ham** and **Luisa Lancetti** of T-Mobile USA, **Richard Whitt** and **Megan Anne Stull** of Google, **Melissa Newman** and **Larry Sarjeant** of CenturyLink, **Ryan Wallach** of Willkie Farr & Gallagher, **Michele Farquhar** of Hogan Lovells US, **Diane Cornell** of

Inmarsat, **Jane Mago** of NAB, **Kathleen Kirby** of Wiley Rein, **Laura Phillips** of Drinker Biddle & Reath, **Bryan Tramont** of Wilkinson Barker Knauer, **Kathleen Abernathy** of Frontier Communications, **Julie Kearney** of CEA, **Stacy Fuller** of DIRECTV, **Andrea Williams** of CTIA, **Dane Snowden** of NCTA, **Kathy Zachem** of Comcast, **Mary Beth Richards** of FTC, and **Anna Gomez** of NTIA.

Register on-line at [www.wbadc.org](http://www.wbadc.org) or call the WBA office at 202-639-8880. To receive a reduced member rate for this program, use FCBAMENTOR as a registration password.

### Sunday, April 15, 2012 – Save the Date! FCBA/ABA/NAB 31st Annual “Representing Your Local Broadcaster”

**Location:** Encore Hotel, Las Vegas, NV

### 31ST ANNIVERSARY: THE 31 FLAVORS OF LOCAL BROADCASTING

Over the past several years, the annual Las Vegas seminar “Representing Your Local Broadcaster” has become the preeminent broadcast law program in the country. The reason is a consistent focus on the practical, daily issues facing stations and their lawyers. For our 31st 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 regulatory attorney.

Sessions will tackle the critical issues in a fast-paced, intense program, supplemented with extremely valuable background material. In honor of our 31st Anniversary, our featured panel flavors this year are **Jamaican Me Crazy: New Sweet Spots in the Business of Local Broadcasting**, **Rocky Road: What You Don't Know Can Hurt Your Clients**, **No Plain Vanilla: New Wrinkles in Newsroom Subpoenas, Sources, Snipes, and Swarm-Sourcing**, and **COPPA SOPA WIPO Tutti Frutti: Copyright & Privacy Issues à la Mode**. And be sure to join us for a lively and timely content regulation lunchtime discussion -- **Dipping Your Dots: We're Not Sure What It Means, But It Sure Sounds Indecent**.

The day promises to be spirited, practical, relevant, and delectable – the makings of an excellent seminar program.

### Program Schedule

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

**9:45 – 10:00 a.m.**  
**INTRODUCTORY REMARKS**  
**Chuck Tobin**, Chair, ABA Forum on Communications Law  
**Jane Mago**, Executive Vice President and General Counsel, National

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### Interested in Hosting an FCBA event?

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

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

## LAS VEGAS SEMINAR

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Association of Broadcasters  
**Yaron Dori**, President, Federal Communications Bar Association

**10:00 – 11:00 a.m.**

### JAMAICAN ME CRAZY: NEW SWEET SPOTS IN THE BUSINESS OF LOCAL BROADCASTING

2012 is delivering new flavors of regulatory interest as well as a few twists to some traditional favorites. This panel will dip into how the current menu of regulations and compliance issues may affect your clients' bottom lines and their competitive profiles. What is the current news swirling about spectrum auctions? How might auctions affect the latest FCC broadcast ownership rulemaking, and what other tidbits – tasty and otherwise – may be mixed into the resulting rules (if they ever emerge from judicial deep freeze)? Did the most recent serving of retransmission consent negotiations satisfy broadcasters' cravings or did it leave a bad taste in their mouths? What can you do to ensure that evolving general advertising policies – from nondiscrimination to the CALM Act – do not result in painful brain freeze for your clients? And how might the further enhanced disclosure rulemaking shake up broadcasters' public files and other operations? Get the scoop on all of these tempting – and completely fat free – topics from our panel.

*Moderator:*

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

*Speakers:*

**Jennifer Johnson**, Covington & Burling LLP, Washington, DC

**Sherrese Smith**, Federal Communications Commission, Washington, DC

**Anne Swanson**, Dow Lohnes PLLC, Washington, DC

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

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

**11:15 – 12:15 p.m.**

### ROCKY ROAD: WHAT YOU DON'T KNOW CAN HURT YOUR CLIENTS

You can't fudge on knowing these uniquely broadcaster-centric topics. Our expert panelists will cover the nuts, bolts, and mini marshmallows that you can't live without. Mobile DTV, HD Radio, Rural Radio, migratory birds, Section 106 processing, CVAA, video description, IP closed captioning, and LPFM/FM translator coexistence are just some of the myriad issues today's broadcasters are confronting. So don't waffle – grab your spoon and dig into this panel, which will tackle these and other emerging issues facing radio and television businesses.

*Moderator:*

**Frank Jazzo**, Fletcher, Heald & Hildreth, PLC, Washington, DC

*Speakers:*

**David Oxenford**, Davis Wright Tremaine LLP, Washington, DC

**Joshua Pila**, LIN Media, Providence, RI

**Anne Schelle**, Open Mobile Video Coalition, Washington, DC

**Bill Sill**, Wilkinson Barker Knauer, LLP, Washington, DC

**12:30 – 1:45 p.m.**

### DIPPING YOUR DOTS: WE'RE NOT SURE WHAT IT MEANS, BUT IT SURE SOUNDS INDECENT

Content regulation has never tasted so decadent. Nudity and profanity have made it to primetime at the Supreme Court, so it's time to join us for a tantalizing luncheon discussion of indecency and other content-related regulations. But won't someone think of the children? We'll also be offering a double dip of children's broadcasting and Healthy Media issues. Add a generous topping of political advertising, and it's a recipe for a panel you explicitly can't miss.

*Moderators:*

**Richard Wiley**, Wiley Rein LLP, Washington, DC

**Bryan Tramont**, Wilkinson Barker Knauer, LLP, Washington, DC

*Speakers:*

**Joe Di Scipio**, Fox Television Stations, Inc., Washington, DC

**Jerry Fritz**, Allbritton Communications Company, Arlington, VA

**Erin McGrath**, Federal Communications Commission, Washington, DC (invited)

**Deborah Taylor Tate**, Former FCC Commissioner, Nashville, TN

**2:00 – 3:00 p.m.**

### NO PLAIN VANILLA: NEW WRINKLES IN NEWSROOM SUBPOENAS, SOURCES, SNIPES, AND SWARM- SOURCING

The blogosphere, citizen journalists, Internet critics, and the like have ushered in a whole new maelstrom of newsroom issues to be dealt with in an era of dwindling resources, including whether bloggers or tipsters are "sources" whose anonymity must be protected in the face of subpoenas and the "test" for compelled disclosure, who is a "journalist" worthy of shield law protection and the pitfalls and perils in line-drawing, corporate America's heavy hand in silencing yelpers and other critics by burdening websites with DMCA notices, and the perils in "swarm-sourcing" on-air. This panel will address the evolving legal rules and real life practices in handling these and other issues in the age of declining newsgathering dollars.

*Moderator:*

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

*Speakers:*

**Johnita Due**, CNN, Atlanta, GA

**Nick Matesi**, KKTU, Colorado Springs, CO

**Charles D. Tobin**, Holland & Knight LLP, Washington, DC

**Laurence Wilson**, Yelp, Inc., San Francisco, CA (invited)

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# Special EVENTS

## LAS VEGAS SEMINAR

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**3:00 – 4:00 p.m.**

### **COPPA SOPA WIPO TUTTI FRUTTI: COPYRIGHT & PRIVACY ISSUES À LA MODE**

As broadcasters shake things up by exploring new media opportunities, things refuse to cool off on the copyright and privacy legislative and regulatory fronts. What are the latest regulatory changes regarding COPPA and DMCA agent registration? How could the pending WIPO Audiovisual Performances Treaty and SOPA legislation affect your clients? I may scream, you may scream, but should we all scream about radio industry negotiations with ASCAP, BMI, and SESAC? Now that the Copyright Office report on pre-1972 sound recordings has been released, what are the implications for music royalties and user-generated content? We'll also serve up a discussion of online streaming issues and some of the new and different ways mobile apps and social networking platforms are distributing content. We have all the ingredients for a great panel, so come bask in the knowledge of our copyright and privacy experts.

*Moderator:*

**Suzanne Head**, National Association of Broadcasters, Washington, DC

*Speakers:*

**Lee Brenner**, Kelley Drye, Los Angeles, CA (invited)

**David Carson**, Copyright Office, Washington, DC

**Marsha MacBride**, National Telecommunications and Information Administration, Washington, DC

**S. Jenell Trigg**, Lerman Senter PLLC, Washington, DC

**Bill Velez**, Radio Music License Committee, Nashville, TN

**4:00 – 5:30 p.m.**

### **RECEPTION**

Discounted seminar registration is available to all FCBA, ABA, and NAB members. Registration can be completed online: [http://www.americanbar.org/groups/communications\\_law/events\\_cle.html](http://www.americanbar.org/groups/communications_law/events_cle.html).

### **LOCATION - HOTEL INFO:**

Housing fills quickly for this event, which will be held on **Sunday, April 15**, at the **Encore Hotel** - 3121 Las Vegas Blvd. South, Las Vegas, NV 89109. NAB has arranged for a limited number of rooms at the Encore for ABA Forum program attendees. 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://event.expobook.com/index.aspx?eventid=213>.

**\* NOTE: Reservations must be made by March 16, 2012.** AVAILABILITY OF RESERVATIONS FOR SATURDAY ARRIVAL IS EXTREMELY LIMITED. Please be sure to identify yourself as attending the ABA Forum program.

All attendees of the Seminar are automatically registered for a complimentary Exhibits Only pass to the NAB Show.

### **SPONSORS:**

Covington & Burling LLP  
Dow Lohnes PLLC  
Fletcher, Heald & Hildreth, PLC  
Holland & Knight LLP  
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Wilkinson Barker Knauer, LLP

### **PASSPORT SPONSORS:**

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Sheppard Mullin Richter & Hampton LLP  
Thomas & LoCicero PL  
Vinson & Elkins LLP

## **NOMINATIONS**

CONTINUED FROM PAGE 1

be honored. In addition, the FCBA will view favorably nominees who have demonstrated service, dedication, and generosity of spirit in their careers. Nominations (1,000 words or less) should include the following information: (1) full name, title, work address and contact information of the nominee; (2) summary of nominee's outstanding service and/or achievements; (3) a narrative explanation

of the nominee's service including the following information: how the nominee's dedication to excellence and public service is outstanding, significant and "above and beyond the call of duty;" the length of the government service; and any other relevant information, such as a history of mentoring, that would assist the award committee in evaluating the nomination. Please submit written nominations by email to [kerry@fcba.org](mailto:kerry@fcba.org). Nominations are due no later than **March 16, 2012**.

## **2012 FCBA Membership Directories**

The FCBA 2012 Membership Directories are being printed and mailed to members in the next few weeks. Please use the order form on [page 21](#) to order additional copies for your office.

## A Message from the Foundation Chair

### DEAR FOUNDATION MEMBERS,

At the beginning of the year, on behalf of my fellow Trustees, I shared with you by email some of the new ideas under discussion on the Board; I personally welcomed the thoughtfulness and passion reflected in the many comments received. It's heartening to see the level of personal, not just financial, commitment that you, our members, attach to engagement with the Foundation. Your survey responses last summer and feedback at the end of January provide your Board with important feedback as we lead the Foundation in directions that advance the Foundation mission. Based on this feedback, we are taking a number of initial actions. For example, this year, our High School Scholarship Committee, co-chaired by **Mark Schneider**, Trustee and **Lee Petro**, non-Trustee, have linked the DC high school program more closely with communications-related studies. We have also established a Graduate Pilot Program Committee, co-chaired by me and **Monica Desai**, a non-Trustee to explore various aspects of implementation of such a program. We look forward to sharing the results of both Committees as well as other steps we take over the remainder of the year.



Jennifer Warren

Finally, I am very pleased to announce that **Karen Brinkmann** has agreed to serve as Chair-Elect for this year, and thus committed to serving as Chair for the 2012-2013 Foundation year. This position was created only last year, a recommendation of the Foundation's Task Force; it is intended to ensure a more seamless transition at the end of

year between the outgoing Chair and incoming Chair.

**Jennifer Warren**  
2011-2012 FCBA Foundation Chair

## FCBA Foundation Applications for Funding of Unpaid Legal Internships

For the 19th consecutive year, the Federal Communications Bar Association (FCBA) Foundation will award stipends to law students from its Chairman Robert E. Lee Scholarship and Internship Fund. In 2012, the Foundation will award several stipends to 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. 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 legislative history of the Communications Act.

Applicants will be selected on the basis of: (1) a demonstrated interest in the communications field, (2) having secured or having pending, an unpaid summer position (internship) for at least eight weeks in communications with a Federal, state, or local government agency with a connection to the communications industry, (3) dependence on financial assistance in order to accept the unpaid internship in a government agency; and, (4) community activities. To the extent a recipient receives unanticipated funding for the unpaid internship, the FCBA Foundation's general policy is to reduce its scholarship awards by any amount that a recipient's total funding (including all sources) for the internship would otherwise exceed \$7,000.

Applications for a Lee Fund scholarship should be submitted to Kerry Loughney, FCBA Foundation, 1020 19th Street, NW, Suite 325, Washington, DC 20036 or [kerry@fcba.org](mailto:kerry@fcba.org). **Applications must be postmarked by March 14, 2012.** Applicants may be asked to interview with members of the Foundation Board; interviews may be conducted by telephone. Please encourage eligible applicants to apply.

The application for a Lee Fund scholarship is posted in the Foundation section of the FCBA Website – [http://www.fcba.org/foundation/internship\\_stipends.shtml](http://www.fcba.org/foundation/internship_stipends.shtml).

## Combined Federal Campaign (CFC)

The FCBA Foundation is proud to participate in this year's Combined Federal Campaign for the National Capital Area. Federal employees in the nation's capital can now make regular tax-deductible contributions to the FCBA Foundation through the Combined Federal Campaign, providing funds to support and help expand the Foundation's vital charitable work.

To make a pledge to the FCBA Foundation, donors should use the FCBA Foundation's CFC code number (**#31092**) on their pledge cards. Pledge cards can be obtained from your agency's CFC campaign staff. Pledge cards can also be completed and printed out online through the CFC website at [www.cfcnca.org](http://www.cfcnca.org). On the website, click "Giving" and "About CFC-e" for more information.

Your donations will support the valuable work performed by the FCBA Foundation. In the past year, the Foundation's work included:

- Awarding 8 stipends to law school students for unpaid legal communications-related summer internships and 10 college scholarships to DC public high school students, totaling close to \$215,000

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## COMBINED FEDERAL CAMPAIGN

CONTINUED FROM PAGE 13

- Sponsoring numerous volunteer events for FCBA members, including making meals for the homeless at Martha's Table
- Co-sponsoring the 2011 Charity Auction for Sitar Arts Center and the FCBA Foundation which raised almost \$138,000

Please contact **Jennifer Warren**, FCBA Foundation Chair, ([jennifer.warren@lmco.com](mailto:jennifer.warren@lmco.com)), if you have any questions.

## Volunteer for Martha's Table on February 26

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

**Martha's Table** feeds hundreds of hungry, homeless adults and children on the streets of Washington daily, through

its mobile soup kitchen. Children and friends are also welcome. We will begin at **10:00 a.m. and work until 1:00 p.m.** Martha's Table is located in a yellow building at 2114 Fourteenth Street, NW, in the District, near the intersection of 14th and U Streets. On-street parking is available. Volunteers are asked to bring food if possible, (e.g., cold cuts, bread, peanut butter, jelly, vegetables and potatoes) because the center often runs out of donated food.

The FCBA volunteers on the last Sunday of every month, so mark your calendars now. If you are able to volunteer on **February 26**, please contact **Howard Weiss** at 703-812-0471 -- [weiss@fhhlaw.com](mailto:weiss@fhhlaw.com).

## Annual Seminar Scholarships Available for Government Employees and Academics

To promote the goal of broad attendance and boost participation from public sector employees and academics, the FCBA is again offering Annual Seminar scholarships. Last year, the scholarship program was fully subscribed. An increase in attendance by the public sector and academics provides a unique networking opportunity and benefits all Annual Seminar attendees. The scholarship covers the registration fee (approximately \$200), which includes meals, entertainment, and attendance at the seminar. Scholarship recipients will be responsible for all other costs of attending the Seminar, including travel and lodging expenses. A limited number of scholarships will be available on a first-come, first-served basis. Applicants are urged to apply early.

### FCBA ANNUAL SEMINAR SCHOLARSHIPS

Information and Application Instructions:

- (1) Scholarships are available to full-time government members and to full-time academic professor members.
- (2) To apply, please fax or email a completed application form along with a copy of your ID card from your government agency or academic institution.
- (3) Applications will be processed on a first-come, first-served basis. The cut-off date for applications is **Friday, March 30, 2012**.

(4) Scholarships may be applied only toward the registration fee for the 2012 FCBA Annual Seminar. (Individuals receiving scholarships are responsible for all other costs of attending a seminar, including travel and lodging expenses).

**Please fax or email the application found on page 20 to:**

FCBA Annual Seminar Scholarship Committee  
Fax: (202) 293-4317  
Email: [kerry@fcba.org](mailto:kerry@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, send **ONE COPY** of the information requested to Kerry Loughney, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, or **EMAIL** it to [kerry@fcba.org](mailto:kerry@fcba.org). Please clearly indicate the Blind Box number to which you are responding. If you are applying to a Blind Box, you may enclose a separate note to the FCBA specifying any organization to which you do not wish your application to be forwarded. Responses to Blind Box listings can be accepted only from FCBA members.

## TO LIST A JOB

Complete a Job Bank Form and send or fax the Form and the appropriate payment to Kerry Loughney, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101. In addition, please email the text of the ad to [kerry@fcba.org](mailto:kerry@fcba.org). Listings and payment received by the 15th day of each month will appear in the next month's newsletter. If possible, ads should not exceed 75 words. Please call the FCBA, (202) 293-4000, for a Job Bank Form. (No headhunters please).

## LAW FIRM / CORPORATE

### 02.12.1

**Communications Associate** – We are a mid-sized international law firm seeking an associate with 2 to 4 years of experience to join our communications practice in our DC office. We represent cable operators, wireless providers, programming networks, satellite operators and others in a broad range of regulatory, legislative, and litigation matters before the FCC, Congress, Executive Branch agencies, and federal and state courts, as well as in domestic and international business transactions.

We are looking for a highly motivated, organized and detail-oriented individual with excellent writing and advocacy skills and a strong academic background. Good interpersonal skills, a sense of humor and an understanding of the importance of being a good team player are a must. Experience in communications law is a plus but not required.

Interested candidates should submit a writing sample, transcript & resume.

To apply, qualified candidates should submit a transcript, resume, and a writing sample to: Kerry Loughney, Federal Communications

Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, or Email to [kerry@fcba.org](mailto:kerry@fcba.org). Please clearly indicate which Blind Box number to which you are responding.

### 02.12.2

**Government Affairs Internship – T-Mobile USA, Inc.** - T-Mobile is interviewing candidates for a paid summer internship position in its Government Affairs Department in Washington, DC.

#### *Position Duties and Responsibilities:*

- Conducting legal research and writing, drafting presentations to be used in meetings with federal agencies, and preparation of correspondence and legal documents.
- Attending government hearings, meetings and telecommunications seminars and preparing summaries and analyses.
- Working with members in the federal and state regulatory and legislative groups on various telecommunications topics, including: net neutrality, interconnection, universal service, spectrum issues, privacy, IP applications, content regulation, and consumer protection.

#### *Functional and Technical Skills:*

- Excellent research skills.
- Demonstrated verbal and written communication skills.
- Ability to be a team player.
- Ability to work in a fast-paced and innovative work environment.
- Excellent decision making and problem solving skills.
- High attention to detail and ability to meet deadlines.
- Willingness to contribute feedback and make suggestions for improvement.
- Strong working knowledge of PC and Microsoft Office Suite applications (including PowerPoint).

#### *Experience and Education:*

- Intern must be currently obtaining a JD law degree (2nd Year JD candidates preferred).
- Law-related work experience is helpful, but not necessary.
- Accounting and Finance classes are a plus.
- Knowledge of the wireless industry is desirable.

How to Apply: Visit [www.t-mobile.com/jobs/](http://www.t-mobile.com/jobs/). Create a candidate profile; List "source" as "college." Apply to req. number 11020020.

### 02.12.3

**Regulatory/Litigation Associate** – Eckert Seamans Cherin & Mellott, LLC is a national full-service law firm, with multiple offices located throughout the Eastern United States. The Washington, D.C. office of the firm is seeking an associate with 2 to 4 years of experience in contractual, regulatory and

litigation matters in regulated industries, preferably telecommunications, utilities and/or energy. The ideal candidate will have demonstrated experience and interest in one or more of these areas and practice disciplines. D.C., Virginia and/or Maryland bar admission is required.

We offer a collegial and stimulating work environment, a competitive salary and a full benefits package. Qualified candidates should forward their resume by fax or email to Katy Mahoney, email: [kmahoney@eckertseamans.com](mailto:kmahoney@eckertseamans.com); Fax: (202) 659-6699.

### 02.12.4

**Senior Counsel, Legislative Affairs** (Bethpage, Long Island) – The Senior Counsel will assist in the development, coordination, and implementation of positions and strategies on state, local and federal legislative and policy issues that substantially affect Cablevision's businesses. He/she will also assist in advising on business projects and opportunities, developing relevant expertise on a range of issues relating to Cablevision's business, including its core telecommunications, broadband and video services, as well as ancillary issues affected by legislative initiatives, such as labor and tax issues.

#### **Principal Duties and Responsibilities**

- 1) Track all relevant state and federal legislation that affects Cablevision.
- 2) Develop options and recommend positions and strategies on policy issues by:
  - Researching law on relevant policy and legislative issues.
  - Organizing appropriate meetings to determine issues of importance to the company's business interests.
  - Assisting in developing medium-range and long-range plans with the support and approval of senior management.
  - Assisting in the development and articulation of key policy positions.
- 3) Draft and present appropriate documentation that implements the company's decision making.
- 4) Assist in the management of the company's involvement in proceedings before the legislatures and other public entities.
- 5) Represent Corporate Government Affairs on legislative and industry matters by providing legal advice and support.

#### **Qualifications**

- 10 years of professional background in government, with at least 5 years of

CONTINUED ON PAGE 16 ►

legal experience on federal, state or local legislative policy issues.

- Knowledge of telecommunications, broadband and related policy issues preferred in addition to awareness of federal, state, and local business issues.
- Background in bill drafting and review.
- Experience in preparing and presenting legal issues to high-level officials.
- Ability to write legal pleadings on complex policy issues.
- Organization and ability to work well with others.
- Ability to coordinate complex projects and complete projects in a timely manner.

Please submit your resume to:  
[excrec@cablevision.com](mailto:excrec@cablevision.com)

## GOVERNMENT / ACADEMIC / NON-PROFIT

### 02.12.5

**Attorney Advisor** – The Federal Communications Commission, Office of General Counsel is accepting applications to fill a GS-15 Attorney Advisor position in its Administrative Law Division. The salary range is \$123,758 - \$155,500, depending on experience. The incumbent will serve as a senior staff attorney responsible for providing advice on administrative law and communications issues. The incumbent will work on a variety of legal issues mostly involving wireless and/or public safety telecommunications. Please see Announcement Number ATTY-OGC-2012-0002 on the FCC website at <http://www.fcc.gov/jobs/> for a detailed position qualifications and application requirements. Applications must be submitted by February 29, 2012. The FCC is an equal opportunities employer.

### 02.12.6

#### FCC Public Safety & Homeland Security Bureau Internships

The Federal Communications Commission's (FCC) Public Safety and Homeland Security Bureau (PSHSB) is seeking interns (unpaid) for the summer of 2012 for its Policy and Licensing Division (PLD), Cybersecurity and Communications Reliability Division (CCRD), Operations and Emergency Management Division (OEM) and the Emergency Response Interoperability Center (ERIC).

PLD drafts, develops, and administers rules, regulations and policies pertaining to public safety communications such as 700 MHz and 800 MHz spectrum, 911/Enhanced 911 (E911), Public Safety Answering

Points (PSAPs), emergency alerting and operability and interoperability for public safety communications. In addition, the Division oversees the licensing of spectrum for public safety entities such as police and fire departments.

CCRD provides technical and policy advice and drafts FCC and PSHSB-level orders, public notices, studies, analyses, and other documents on a variety of public safety and homeland security-related communications issues such as cyber security, network resiliency, 911 reliability, disruptions to communications networks and systems, national security, disaster management and other related issues.

OEM serves as the principal Departmental official for coordinating and assisting in the establishment and continuation of a Department-wide emergency action program, to include emergency preparedness, particularly as applicable to the requirements of Executive Order (E.O.) 12656, the National Response Framework, Federal Continuity Directive 1 (FCD-1), National Security Emergency Preparedness Policy, and Continuity of Operations/Continuity of Government.

ERIC is tasked with developing a technical and operational framework to ensure nationwide operability and interoperability in the deployment and operation of the 700 MHz public safety broadband wireless network.

PSHSB legal interns will assist with analyses of a broad range of legal issues relating to policies, programs and regulations of the agency. The intern will perform legal research on a variety of issues and also may be required to prepare written summaries of research findings. Additionally, interns will assist in the preparation of legal memoranda and other FCC documents. The intern also may attend and participate in meetings with FCC personnel and outside parties.

**PLD Opportunities:** To apply for unpaid legal internship opportunities in PLD applicants must be first, second or third year law students with strong analytical, research, writing and organizational skills. Students must also be enrolled in law school at least half-time in order to apply. Applicants should send a cover letter, resume and brief writing sample to John Evanoff, Policy and Licensing Division, Public Safety and Homeland Security Bureau, Federal Communications Commission at [John.Evanoff@fcc.gov](mailto:John.Evanoff@fcc.gov). Questions regarding PLD unpaid legal internship opportunities should be directed to John Evanoff at (202) 418-0848 or [John.Evanoff@fcc.gov](mailto:John.Evanoff@fcc.gov).

**CCRD Opportunities:** To apply for unpaid legal internship opportunities in CCRD, applicants must be second or third year law students with strong analytical, research, writing and organizational skills. Students must also be enrolled in law school at least half-time in order to apply. Applicants should send a cover letter, resume and brief writing sample to Gregory Intoccia, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, Federal Communications Commission at [Gregory.Intoccia@fcc.gov](mailto:Gregory.Intoccia@fcc.gov). Questions regarding CCRD unpaid legal internship opportunities should be directed to Gregory Intoccia at (202) 418-2478 or [Gregory.Intoccia@fcc.gov](mailto:Gregory.Intoccia@fcc.gov).

**OEM Opportunities:** To apply for unpaid internship opportunities within OEM, applicants should be first, second or third year graduate or law students with strong analytical, research, writing and organizational skills and must be able to communicate effectively, both verbally and in writing. Students must also be enrolled in engineering, law school, and/or homeland security management programs at least half-time in order to apply. Applicants should send a cover letter, resume and brief writing sample to Stephen Maguire, Operations and Emergency Management, Public Safety and Homeland Security Bureau, Federal Communications Commission at [stephen.maguire@fcc.gov](mailto:stephen.maguire@fcc.gov). Questions regarding OEM unpaid internship opportunities should be directed to Stephen Maguire at (202) 418-0614 or [stephen.maguire@fcc.gov](mailto:stephen.maguire@fcc.gov).

**ERIC Opportunities:** To apply for unpaid legal internship opportunities within ERIC, applicants must be second or third year law students with strong analytical, research, writing and organizational skills and must be able to communicate effectively, both verbally and in writing. Students must also be enrolled in law school at least half-time in order to apply. Applicants should send a cover letter, resume and brief writing sample to Jason Kim, Emergency Response Interoperability Center, Public Safety and Homeland Security Bureau, Federal Communications Commission at [Jason.Kim@fcc.gov](mailto:Jason.Kim@fcc.gov). Questions regarding ERIC unpaid legal internship opportunities should be directed to Jason Kim at (202) 418-7008 or [Jason.Kim@fcc.gov](mailto:Jason.Kim@fcc.gov).

## Vincent A. Pepper (1927-2011)

Vincent A. Pepper, a prominent broadcast regulatory and transactional lawyer who co-founded and led a communications law firm for more than half a century before joining a Washington-area media brokerage company, died on December 16, 2011. He was 84.

Pepper was born and raised in the Seattle area. While attending a secondary school in Minnesota where he was studying for the priesthood, he suffered an eye injury in a boxing match. This led to his return to Seattle, where he enrolled at Seattle University, from which he graduated in 1947 with a bachelor's degree in mathematics. He went on to attend classes in advanced electricity and nuclear sciences at the University of Washington, later switching to the study of law at that same University. He subsequently transferred to Georgetown University's law school, and obtained his law degree from Georgetown in 1951.

Pepper's legal career began at the former law firm of Welch, Mott & Morgan, where he became acquainted with E. Stratford Smith. After six years, Pepper, Smith, and two other Welch, Mott attorneys started their own firm, initially known as Smith, Pepper, Shack & LHeureux. That firm became Smith & Pepper, which changed its name many years later to Pepper & Corazzini after Smith departed to become a professor at Pennsylvania State University. (Smith died on Christmas Day, 2011, only nine days after Pepper's death. An *In Memoriam* for Smith appears below.)

In 2002, Pepper & Corazzini merged into the Washington office of the law firm Womble, Carlyle, Sandridge & Rice, and Pepper continued to practice with the Womble, Carlyle firm until 2007, when he retired from the practice of law and became a media broker with Patrick Communications. Pepper continued to work with the Patrick firm until the time of his death.

A gregarious and engaging extrovert, Pepper was a devout Catholic, an "old-school" gentleman and a proud Republican who espoused what today would be considered a moderate political philosophy, possessed of great personal warmth and charm, always interested in the people with whom he came in contact, cherished by his law firm's staff, a natty dresser who kept himself in prime physical condition. Remembering that Smith & Pepper was founded on April 1st, Pepper always made a point of celebrating April Fool's Day. Among his clients over the years were a number of leading radio and television station group owners, including Busse Broadcasting, Rounsaville Radio Group, Turner Broadcasting Systems, SCI Television (owned by Pepper's long-time client and good personal friend, George Gillett), and Gray Television.

Notwithstanding the demands of an active law practice, Pepper was also a businessman who for a time owned interests in radio stations in Kentucky and cable television systems in Tennessee and Washington State. He was actively involved in the Federal Communications Commission transition team, following Ronald Reagan's election to the Presidency in 1980. Pepper subsequently served as a senior advisor to the U.S. delegation at two international broadcast conferences. In addition, he became general counsel to the National Association of Media Brokers when that organization was formed in 1985, and he remained in that capacity until 2007, receiving a lifetime achievement award from the NAMB in 2003.

Pepper was active in the Catholic Youth Organization in the 1960s and 1970s, and he coached various boys and girls athletic teams at both St. Bernadette's and St. Peter's Elementary Schools in suburban Maryland. He also served as a lector at St. Peter's Catholic Church in Olney, Maryland.

Pepper is survived by his wife, two sons, two daughters, 13 grandchildren, and eight great-grandchildren.

## E. Stratford Smith (1916-2011)

E. Stratford Smith, a major player in the development of the CATV industry, and a founding partner of the firm of Smith & Pepper, died Christmas Day at Mount Nittany Medical Center, State College, Pennsylvania. He was 95.

Smith was born in Brigham City, Utah. He attended the University of Utah, and received his law degree with honors from George Washington University. While attending law school at night, Smith served as Chief of the Tariff Section at the FCC. He was commissioned an ensign in the Navy in June 1944 shortly after graduation. He received basic military training at Princeton, followed by training at the Navy Communications School at Harvard. Smith served as a communications officer to Admiral Chester Nimitz, and arrived in Japan aboard the battleship New Jersey shortly after the surrender.

After the war, he returned to the FCC, and was instrumental in developing the Commission's standards allowing the attachment of non-telephone company equipment to telephone facilities. He also prepared a seminal report on the FCC's jurisdiction to regulate as common carriage then-nascent CATV operations.

Smith joined the prominent communications law firm of Welch Mott & Morgan in 1951. Shortly thereafter, he was named General Counsel and later Executive Director of the National Community Television Association ("NCTA"), while continuing his practice with the Welch firm.

In 1957, Smith left to start his own firm with Vince Pepper. Smith's practice flourished: Besides having leadership roles in NCTA, Smith represented numerous individual cable operators, state and regional cable associations, and CATV equipment manufacturers.

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## E. STRATFORD SMITH

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Smith played a leading role in the tumultuous struggle between CATV operators and TV broadcasters in the 1950s and '60s. It was his theory of the case, namely that CATV systems merely acted as a "master antenna" for receiving TV signals, rather than engaging in public performances of copyrighted programming, which the Supreme Court accepted in the landmark *Fortnightly Corp. v. United Artists Television* case (June 1968). Bob Barnard, his co-counsel, argued the case for the CATV industry.

Smith was inducted into the National Cable Television Center's Hall of Fame in 1999 along with Ted Turner and John Malone, among others.

After retiring from the practice of law, Smith was appointed a professor at Penn State's College of Communications in 1988. He held the position for 13 years until retirement in 2001.

He is survived by his wife, Bette Jackson, a brother, two daughters and three grandchildren.

A remarkable account of the growth of the cable TV industry from the late '40s to the early '70s can be found in Smith's oral history of his career at <http://www.cablecenter.org/content.cfm?id=1039>.

## Henry Taft Snowdon, Jr. (January 28, 1947 – November 16, 2011)

Henry Taft Snowdon, Jr., known to his friends, colleagues and members of the bar as Taft, died suddenly in Nairobi, Kenya on November 16, 2011. At the time of his death, Taft served as Supervisory Attorney, Audio Division, Media Bureau of the Federal Communications Commission.

Taft started with the FCC in 1974 as a General Attorney in what was then known as the Broadcast Bureau, Renewal

and Transfer Division, Transfer Branch. He remained with that Bureau, or iterations thereof, throughout his career. Over time, Taft evolved into the most knowledgeable expert, both inside and outside the agency, on the law and policy affecting radio broadcast assignment and transfer applications and nuances of the Commission's applicable ownership rules.

The private bar greatly benefited from Taft's expertise. Hand-in-hand with his vast knowledge was a ready willingness to share that knowledge with broadcasters, attorneys and the public. If one had a procedural or substantive question, Taft was always reachable by phone or email to respond to queries and explain his reasoning. It did not matter if the contact was from a senior partner or a first-year associate. Taft was always friendly, polite, professional – and correct. He is greatly missed by the many who relied on him for help and who had the benefit and pleasure of working with him.



Taft Snowdon

On first meeting Taft, he seemed very serious. But, those who knew him well knew he had a wonderful sense of humor, a characteristic likely fuelled by some of his early, and brief, out-of-character sidelines such as professional wrestler ("Lord Snowdon"), candidate for the Washington Redskins and bar bouncer.

Taft was a graduate of the University of North Carolina at Chapel Hill and obtained his law degree from George Washington University. Between college and law school, Taft worked for Pan American Airways in London, England, which engendered in him a lifelong love of travel. For the past 25 years, Taft mainly vacationed in Kenya where he developed a wide circle of friends. It was during a visit to Kenya last year when he died.

Taft is survived by his sister, Dona Phelan of London, England, and by a niece and nephew.

## Robert A. Woods (1931-2011)

Robert A. "Bob" Woods, a founding partner of the law firm Schwartz, Woods & Miller, died on Dec. 22, 2011, in Bethesda, MD, following a lengthy illness. He was 80.

Born in Beverly, MA, on June 3, 1931, Bob graduated from Beverly High School in 1949. He attended Harvard University and graduated cum laude in 1953. He then served two years in the U.S. Army, stationed at Fort Dix, NJ, before earning a law degree from Harvard Law School in 1958.

That same year, Bob married Betty L. Mercer, also from Beverly, and moved to the Washington, DC, area to become an attorney for the National Labor Relations Board. At the NLRB, Bob worked in the same division as Louis Schwartz. In 1960, the two of them left the NLRB together to join the Washington law firm of Krieger & Jorgensen. In 1970, they formed their own firm, Schwartz & Woods. They added their colleague Larry Miller to the name of the firm in 1979. Bob retired from Schwartz, Woods & Miller in 2001.

Bob focused his practice primarily on noncommercial broadcasting. For many years he was outside general counsel to the National Association of Educational Broadcasters, and he served as outside counsel to the Joint Council on Educational Telecommunications, which advocated for educational channels on cable TV and on DBS systems. Bob also represented many colleges and public TV stations that held licenses in the Instructional Television Fixed Service ("ITFS"), and worked to allow them to lease capacity for commercial uses.

Bob was admitted to the bars of Massachusetts, the District of Columbia,

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# COMMITTEE/CHAPTER EVENT *Registration Form*

Name \_\_\_\_\_ Organization \_\_\_\_\_

Address \_\_\_\_\_ Suite/Room/Apt. \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

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

- Thursday, February 9, 6:00 – 8:15 p.m. – CLE Seminar on CALEA Enforcement: Don't Find Out the Hard Way.** Location: Wiley Rein LLP, 1776 K Street, Main Conference Center  
Cost: \$125.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; \$25.00 for Student Members; \$195.00 for Non-Members  
**Registrations and cancellations due by 5:00 p.m., Tuesday, February 7, 2012.**
- Thursday, February 9, 12:00 Noon – New York Chapter Lunch and Panel Discussion.** Location: Brown Rudnick, LLP, 7 Times Square, New York, NY  
Cost: \$15.00 for FCBA Members; \$25.00 for FCBA Non-Members  
**Registrations and cancellations due by 12:00 Noon, Tuesday, February 7, 2012.**
- Thursday, February 16, 12:15 – 1:30 p.m. – Wireless Committee Lunch.** Location: Wiley Rein LLP, 1776 K Street, Main Conference Center. Cost: \$17.00  
**Registrations and cancellations due by 12:00 Noon, Tuesday, February 14, 2012.**
- Thursday, February 16, 6:00 – 8:15 p.m. – CLE Seminar on Election 2012: Political Advertising Issues for Broadcasters and MVPDs.** Location: Wiley Rein LLP, 1776 K Street, NW, Main Conference Center  
Cost: \$125.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; \$25.00 for Student Members; \$195.00 for Non-Members  
**Registrations and cancellations due by 5:00 p.m., Tuesday, February 17, 2012.**
- Thursday, March 1, 6:00 – 8:15 p.m. – CLE Seminar on Internet Delivery of Television: Over-The-Top and IP.** Location: Covington & Burling, 1201 Pennsylvania Avenue, NW  
Cost: \$125.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; \$25.00 for Student Members; \$195.00 for Non-Members  
**Registrations and cancellations due by 5:00 p.m., Tuesday, February 28, 2012.**
- Thursday, March 15, 6:00 – 8:15 p.m. – CLE Seminar on Developments in the Effort to Improve Broadband Adoption.** Location: Arnold & Porter LLP, 555 12th Street, NW  
Cost: \$125.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; \$25.00 for Student Members; \$195.00 for Non-Members  
**Registrations and cancellations due by 5:00 p.m., Tuesday, March 13, 2012.**
- Wednesday, March 21, 2:00 – 6:00 p.m. – CLE Seminar/Symposium on Privacy & Data Security,** Location: Arnold & Porter LLP, 555 12th Street, NW  
Cost: \$225.00 for Private Sector FCBA/ABA Members; \$100.00 for Government/Academic/Paralegal FCBA/ABA Members; \$50.00 for FCBA/ABA Student Members; \$400.00 for Non-Members  
**Registrations and cancellations due by 5:00 p.m., Friday, March 16, 2012.**

\$ \_\_\_\_\_ Total Enclosed     Visa     MasterCard     American Express     Check

Credit card no. \_\_\_\_\_ Exp. date \_\_\_\_\_

Signature \_\_\_\_\_

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

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

**CLE CREDIT:** FCBA will be requesting accreditation from the State Bars of Virginia and California for continuing legal education credit. If approved, forms for Virginia and California will be available at the Seminar Registration Desk. Please note that FCBA does not obtain CLE

credit for other states. The FCBA will, however, assist with applications to other states, but attorneys must apply individually for credit courses and submit any forms and payments necessary directly to the state bar. The number of credits corresponds with the number of hours of course time, i.e., a two-hour seminar equals 2.0 hours of credit.

### **Federal Communications Bar Association**

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

Phone: (202) 293-4000 • Fax: (202) 293-4317

E-mail: [wendy@fcba.org](mailto:wendy@fcba.org)

# FCBA 2012 ANNUAL SEMINAR *Scholarship Application*

**APPLICATIONS WILL BE PROCESSED ON A FIRST-COME, FIRST-SERVED BASIS.  
PLEASE FAX ALL APPLICATIONS NO LATER THAN FRIDAY, MARCH 30, 2012 TO:**

FCBA Annual Seminar Committee  
Fax: 202-293-4317  
E-mail: [kerry@fcba.org](mailto:kerry@fcba.org)

Name \_\_\_\_\_ Affiliation \_\_\_\_\_  
Address \_\_\_\_\_ Suite/Room/Apt. \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_  
E-mail \_\_\_\_\_

**HAVE YOU PREVIOUSLY ATTENDED AN FCBA ANNUAL SEMINAR?**

YES \_\_\_\_\_ NO \_\_\_\_\_

IMPORTANT: All applicants must attach a copy of a valid photo I.D. from an academic institution or a government agency.

Signature \_\_\_\_\_

FOR OFFICE USE ONLY

Time and date received: \_\_\_\_\_



# 2012 FCBA MEMBERSHIP DIRECTORY *Order Form*

Copies of the 2012 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 D.C. addresses).**

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

Please send me \_\_\_\_\_ copy(ies) of the 2012 FCBA Membership Directory.

Signature (required) \_\_\_\_\_

Name \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_ Suite/Room/Apt. \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

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\$ \_\_\_\_\_ Total Enclosed ***(Please add 6.0% Sales Tax for orders sent to D.C. addresses)***

Check Enclosed  Visa  MasterCard  American Express

Credit card no. \_\_\_\_\_ Exp. date \_\_\_\_\_

Signature \_\_\_\_\_

Please make check payable to "FCBA"

**PLEASE SEND OR FAX THIS FORM TO:**

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

# In MEMORIAM

## ROBERT A. WOODS

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the U.S. District Court for the District of Columbia, the U.S. Court of Appeals for the District of Columbia Circuit, and the U.S. Supreme Court, and was a long-time FCBA member. A long-time supporter of the Democratic Party in the Washington, DC, area, he and his wife volunteered

extensively for several local political campaigns in Maryland and Virginia. Later in life, he volunteered actively for the ALS Association, after a close family friend was diagnosed with the disease.

He is survived by his wife of 53 years, Betty L. Woods of Bethesda, MD; his sister, Mary Buck of Rochester, NH; his son, Lawrence A. Woods of Silver Spring, MD;

his daughter Diana S. Heinze of Charlotte Hall, MD; and his son, Randall D. Woods of Seattle, WA. He is also survived by four grandchildren.

Bob's family requests that donations be made in his name to the ALS Association ([www.alsa.org](http://www.alsa.org)) or the Alzheimer's Association ([www.alz.org](http://www.alz.org)).

## Calendar

<b>February 9</b>	CLE Seminar on CALEA Enforcement: Don't Find Out the Hard Way presented by the Homeland Security and Emergency Communications Committee
<b>February 9</b>	New York Chapter Lunch and Panel Discussion
<b>February 10-11</b>	National Telecommunications Moot Court Competition held at the Catholic University of America Columbus School of Law
<b>February 14</b>	Mass Media and Video Programming and Distribution Committees Brown Bag Lunch
<b>February 15</b>	Wireline Committee Brown Bag Lunch
<b>February 16</b>	CLE Seminar on Election 2012: Political Advertising Issues for Broadcasters and MVPDs presented by the Mass Media and Video Programming and Distribution Committees
<b>February 16</b>	Atlanta Chapter Discussion and Networking Event
<b>February 16</b>	Wireless Telecommunications Committee Luncheon on Distracted Driving
<b>February 21</b>	Engineering and Technical Practice Committee Brown Bag Lunch
<b>February 21</b>	Young Lawyers Committee Brown Bag Lunch
<b>February 26</b>	Volunteer at Martha's Table
<b>February 28</b>	FCC Enforcement Committee Brown Bag Lunch
<b>February 28</b>	An Evening of Mentoring for Communications Lawyers sponsored by the Young Lawyers Committee and the WBA's Communications Law Forum
<b>March 1</b>	CLE Seminar on Internet Delivery of Television: Over-The-Top and IP presented by the Intellectual Property Committee
<b>March 7</b>	Engineering and Technical Practice Committee Brown Bag Lunch
<b>March 15</b>	CLE Seminar on Developments in the Effort to Improve Broadband Adoption presented by the Broadband Committee
<b>March 21</b>	7th Annual ABA/FCBA Privacy & Data Security Symposium
<b>March 22</b>	New York Chapter Program on Privacy and Cyber Security to be held at Syracuse University
<b>March 28</b>	Homeland Security and Emergency Communications Committee HSECC Luncheon in association with NENA: The 9-1-1 Association
<b>March 30</b>	New York Chapter Meet and Greet with FCC Commissioner Mignon Clyburn in Albany
<b>March 31</b>	New York Chapter Program – the Syracuse Law School 7th Annual Communication Law and Policy Symposium
<b>April 15</b>	FCBA/ABA/NAB 31st Annual "Representing Your Local Broadcaster"
<b>May 4-6</b>	Annual Seminar, Hyatt Regency Chesapeake Bay, Cambridge, MD