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March 2010

Newsletter of the Federal Communications Bar Association

FCBA Lunch with Edward Lazarus on March 18

The FCBA will be holding a luncheon on **Thursday**, **March 18**, **2010** featuring Edward P. Lazarus. The luncheon will be held at the Mayflower Hotel, 1127 Connecticut Avenue, NW. Registration begins at 11:30 a.m. and the luncheon begins at Noon. **To register, go to www.fcba.org or use the form on page 22**.

As Chief of Staff for Chairman

Genachowski, Mr. Lazarus oversees major

telecommunications policy initiatives, as

well as the day-to-day operations of the FCC.



Edward P. Lazarus

Mr. Lazarus came to the FCC from Akin, Gump, Strauss, Hauer & Feld, where he was co-head of the firm-wide global litigation practice and a member of the firm's management committee, overseeing more than 800 lawyers. He is a former prosecutor who served as an assistant U.S. Attorney for the Central District of California. Mr. Lazarus started his legal career as a law clerk for

Supreme Court Justice Harry A. Blackmun and for Judge William A. Norris on the United States Court of Appeals for the Ninth Circuit.

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The Homestead in Hot Springs, Virginia

2010 Annual Seminar to be Held at The Homestead April 30 – May 2, 2010 – SAVE THE DATE

Start making plans for the 2010 FCBA Annual Seminar at the historic Homestead Resort, April 30 – May 2, 2010. We promise an exciting and informative

Nominations for "Excellence in Government Service" Award Due March 15

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. The first recipient of the award was Daniel "Mack" Armstrong, and the second was Evan Kwerel. FCBA President **Bob Pettit** will appoint a selection committee, and the third recipient will be announced in Spring 2010.

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

Wireline Committee CLE Seminar Date/Time: Thursday,

Arte/Time: Thursday, March 4, 6:00 – 8:15 p.m. Location: Sidley Austin LLP, 1501 K Street, NW, 6th Floor Topic: Special Access – Historical Perspective and Current Issues ► SEE PAGE 3

Privacy and Data Security Committee CLE Seminar

Date/Time: Thursday, March 11, 2:00 – 6:00 p.m. Location: Arnold & Porter LLP, 555 12th Street, NW Topic: 5th Annual ABA/FCBA Privacy & Data Security Symposium for Communications and Media Companies ► SEE PAGE 3

Mass Media Committee CLE Seminar

Date/Time: Tuesday, March 16, 6:00 – 8:15 p.m. Location: Wiley Rein LLP, 1776 K Street, NW Topic: Political Broadcasting Rules Update 2010 ► SEE PAGE 5

Mass Media Committee CLE Seminar

Date/Time: Wednesday, March 31, 1:00 – 5:00 p.m. Location: Newseum, Freedom Forum, 555 Pennsylvania Avenue, NW Topic: Media Regulation and the First Amendment in the 21st Century > SEE PAGE 5

FCBA Luncheon with Edward Lazarus

Date/Time: Thursday, March 18, 12:00 Noon Location: Mayflower Hotel, 1127 Connecticut Avenue, NW ▷ SEE PAGE 1

Online Registration Available!! Visit the FCBA website

PRESIDENT'S Message

DEAR MEMBERS:

Is it spring yet?

Spring will come – no, really – and when it does, it will bring a number of programs related to the release of the FCC's National Broadband Plan. A couple of early highlights:

On March 18, we will host a luncheon featuring FCC Chief of Staff Edward Lazarus to discuss the National Broadband Plan. The luncheon, which will be held at the Mayflower Hotel, will begin at noon.

Also, on March 22, in conjunction with the CTIA convention in Las Vegas, the association's wireless committee will present a CLE program that includes industry reactions to the National Broadband Plan. That will start at noon in the Las Vegas Convention Center.

So mark your calendars – and watch this space and check your e-mails for additional broadband programs and events.

On other fronts, on March 11, the FCBA, in conjunction with the ABA Forum Committee, will hold the 5th Annual ABA/FCBA Privacy and Data Security Symposium for Communications and Media Companies. The afternoon CLE starts at 2 p.m. in the Arnold & Porter Conference Center and will be made available via video feed in Denver, New York, and San Francisco through Arnold & Porter offices.

On March 31, the Mass Media Committee, in association with the Freedom Forum, the ABA Forum Committee, and the Newseum, will present "Media Regulation and the First Amendment in the 21st Century." This CLE will start at 1 p.m. at the Newseum.

And please make plans to attend the 2010 Annual Seminar – to be held at The Homestead Resort April 30-May 2. It's sure to be both an informative and relaxing weekend in this great family resort.

One final note: Because of one of the February blizzards, the National Telecommunications Moot Court Competition, originally scheduled for February 5-6, was rescheduled to March 27. I'm pleased to report that all but two of the original teams have been able to participate in the rescheduled competition.

Bob Pettit

Judges Needed for Moot Court Competition

The National Telecommunications Moot Court Competition Committee is seeking interested attorneys to serve as judges for the 2010 competition. Judges are needed to grade briefs and to judge oral arguments, which will be held at the Catholic University of America Columbus School of Law on **Saturday, March 27, 2010**. If you can help, please email **Rachael Bender** at 28brownr@cardinalmail.cua.edu indicating whether you would like to grade briefs, judge oral arguments, or both. Thank you in advance for your interest and participation in this season's competition.





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Thursday, March 4, 6:00 – 8:15 p.m. Special Access – Historical Perspective and Current Issues

Presented by the Wireline Committee

The Wireline Committee is planning a CLE for **Thursday**, **March 4**, **2010**, from **6:00 – 8:15 p.m.** on Special Access – Historical Perspective and Current Issues. There will be two panels. This CLE will be held at Sidley Austin LLP, 1501 K Street, NW, 6th Floor. This CLE has been approved for 2.0 MCLE credit hours by the VA State Bar.

To register, go to the FCBA website – Calendar of Events or use the form on page 22.

Agenda

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

6:05 – 6:35 p.m. INTRODUCTION TO SPECIAL ACCESS

Speaker: **David L. Sieradski**, Federal Trade Commission

The pricing and availability of special access has generated significant controversy, with the Commission most recently inviting comment on the appropriate analytical framework for determining whether its current pricing flexibility and price cap rules are working. This panel will provide a brief introduction to special access and an overview of the Commission's current regulatory approach.

6:35 – 6:45 p.m. BREAK

6:45–8:15 p.m. SPECIAL ACCESS: THE CURRENT DEBATE

Moderator: **Sam Feder**, Jenner & Block

Speakers: Colleen Boothby, Levine, Blaszak, Block & Boothby Thomas Jones, Willkie Farr & Gallagher LLP Joel Kelsey, Consumers Union David Lawson, Sidley Austin LLP Charles McKee, Sprint Nextel Dan Mitchell, National Telecommunications Cooperative Association Jonathan E. Nuechterlein, WilmerHale

Advocates on all sides of the Special Access debate will address the Commission's request for comments on how it should best construct an analytical framework to evaluate the current regulatory regime; specifically, whether the price cap rules are effective and whether the triggers that push an area to pricing flexibility are an accurate proxy for real competition that would constrain special access prices. The Commission has indicated it plans to gather market, cost, and price data, and to rely on data available through its Automated Reporting Management Information System (ARMIS), to conduct its evaluation of the special access market. This panel will discuss the current debate concerning information

the FCC should gather and, importantly, whether and how the data gathered should be afforded confidentiality and to what extent the information should be available to others.

Thursday, March 11, 2:00 – 6:00 p.m. The 5th Annual ABA/FCBA Privacy & Data Security Symposium for Communications and Media Companies

Presented by the FCBA Privacy and Data Security Committee and the ABA Forum on Communications Law

Topic: "A New Decade: New Challenges and New Liabilities"

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

Cost:

\$195.00 for ABA Communications Law Forum or FCBA Members
\$100.00 for Government & Student Members of Either Organization
\$350.00 for Non-Members

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2010 Membership Directory: Organizations Section

You may have noticed that there aren't any pages in the 2010 Membership Directory behind the Organizations tab. Your Directory is not defective and it isn't a mistake. In the membership survey done late last spring, 74% of the members indicated that they "rarely" or "never" used the Organizations section of the Directory. Based on the survey response, the Executive Committee decided that the Organizations section would be eliminated from future Directories. Printed on the front of the Organizations tab are the directions on how to use the Online Membership Directory to search of contact information for firms and companies where FCBA members work. If you have problems accessing the Online Membership Directory, please contact the FCBA office for assistance.

CLE Seminars

MARCH 11 CLE

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FCBA members may register online at www.fcba.org under the Calendar of Events or use the form on page 22. Non-FCBA members must download the registration form and fax or mail it in.

Overview: The new decade brings a host of new laws, increased government oversight, and class action lawsuit potential regarding the privacy and security of personally identifiable information for consumers, clients, and employees of communications and media companies.

This year's Symposium will open with a keynote from The Honorable Pamela Iones Harbour. Commissioner of the Federal Trade Commission. Commissioner Harbour will provide her perspective on privacy and data security. Three substantive sessions will follow. The first will cover the government's role in privacy and data security, including the effectiveness of regulatory enforcement mechanisms and selfregulatory regimes. The second will discuss requisite contract clauses, due diligence requirements, and insurance coverage to help reduce liability for relationships with third party service providers, behavioral advertising and social networking websites/services, and e-commerce services. The third session will provide an overview of domestic state and federal laws, regulations, and guidelines that govern traditional telemarketing and commercial messages and promotional efforts delivered via wireless devices, including nuances regarding text messages, bounceback messages, and wireless emails.

Please contact Co-Chairs **S. Jenell Trigg** (STrigg@lermansenter.com or 202-416-1090) or **Maureen K. Ohlhausen** (MOhlhausen@wbklaw.com or 202-783-4141) for more information.

Sponsored by Arnold & Porter LLP, Lerman Senter PLLC, Sonnenschein Nath & Rosenthal LLP, Wiley Rein LLP, and Wilkinson Barker Knauer LLP.

Agenda

2:00 – 2:10 p.m. WELCOME & INTRODUCTION

Speakers:

S. Jenell Trigg, Co-Chair of CLE; Governing Board, ABA Forum on Communications Law; Co-Chair, FCBA Privacy and Data Security Committee **Guylyn Cummins**, President, ABA Forum on Communications Law **Robert L. Pettit**, President, FCBA

2:10-2:40 p.m. A GLOBAL VIEW OF THE GOVERNMENT'S ROLE IN PRIVACY PROTECTION AND DATA SECURITY

Speaker: **Commissioner Pamela Jones Harbour**, Federal Trade Commission

2:40 – 3:20 p.m. SESSION I – GOVERNMENT'S ROLE FOR PRIVACY & DATA SECURITY PROTECTION

Moderator:

Maureen K. Ohlhausen, Partner, Wilkinson Barker Knauer LLP

Speakers:

Dennis Cuevas, Chief Counsel and Consumer Protection Project Director, National Association of Attorneys Generals

Maneesha Mithal, Director, Division of Privacy & Identity Protection, Bureau of Consumer Protection, Federal Trade Commission

Sherrese Smith, Legal Advisor, Office of Chairman Julius Genachowski, Federal Communications Commission Berin Szoka, Director, Senior Fellow and Director, Center for Internet Freedom, the Progress and Freedom Foundation

3:20 – 3:25 p.m. BREAK

3:25 – 4:35 p.m. SESSION II - DUE DILIGENCE, CONTRACT, AND INSURANCE REQUIREMENTS

Moderator:

Randy Sabett, Partner, Sonnenschein Nath & Rosenthal, LLP

Speakers:

David Medine, Partner, WilmerHale LLP

Paul Miskovich, Vice President, Cyber/Tech Product Manager, AXIS PRO

Laura Stack, Staff Attorney, Division of Privacy & Identity Protection, Bureau of Consumer Protection, Federal Trade Commission

4:35 – 4:45 p.m. BREAK

4:45 – 5:55 p.m. SESSION III – TELEMARKETING AND MOBILE MARKETING IN A DIGITAL AGE

Moderator: **S. Jenell Trigg**, Partner, Lerman Senter PLLC

Speakers:

Scott Delacourt, Partner, Wiley Rein LLP

Yaron Dori, Partner, Covington & Burling LLP

Lois C. Greisman, Director, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission

Erica McMahon, Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau, Federal Communications Commission

5:55 – 6:00 p.m. CLOSING

Speaker: **Maureen K. Ohlhausen**, Co-Chair of CLE

CLE Seminars

Tuesday, March 16, 6:00 - 8:15 p.m. Political Broadcasting Rules Update 2010

Presented by the Mass Media Practice Committee

The Mass Media Committee is planning a CLE for Tuesday, March 16, 2010, from 6:00 - 8:15 p.m. on Political Broadcasting Rules Update 2010. The 2010 mid-term elections are shaping up to have competitive races across the country. The Supreme Court's Citizens United decision will allow corporations to run their own campaign ads. This CLE program will discuss the impact of the Supreme Court's decision, review the FCC's political broadcasting rules, consider new questions that will face stations, and look at how political time buyers view the political broadcast time process. This CLE will be held at Wiley Rein LLP, 1776 K Street, NW.

To register, go to the FCBA website – Calendar of Events or use the form on page 22.

Agenda

6:00 – 6:05 p.m. WELCOME AND INTRODUCTIONS Jack Goodman, WilmerHale

6:05 – 6:50 p.m. TOPIC 1 – CITIZENS UNITED AND ITS IMPACT

Moderator: **Jack Goodman**, WilmerHale

Speakers: Jan Baran, Wiley Rein LLP Randy Moss, WilmerHale

6:50 – 7:00 p.m. BREAK

7:00 – 8:15 p.m. TOPIC 2 – REVIEW OF THE FCC'S POLITICAL BROADCASTING RULES

Moderator: **Jack Goodman**, WilmerHale Speakers:

Robert Baker, Federal Communications Commission Ann Bobeck, National Association of Broadcasters David Oxenford, Davis Wright Tremaine LLP Kyle Roberts, Smart Media Group

Wednesday, March 31, 1:00 – 5:00 p.m. Media Regulation and the First Amendment in the 21st Century

Presented by the FCBA Mass Media Committee in association with the Freedom Forum and the ABA Forum on Communications Law

The FCBA Mass Media Committee is planning a CLE for **Wednesday**, **March 31**, **2010**, from **1:00** – **5:00 p.m.** on Media Regulation and the First Amendment in the 21st Century. This program will be held at the Newseum, Freedom Forum, 555 Pennsylvania Avenue, NW, Washington, DC 20004.

To register, go to the FCBA website – Calendar of Events or use the form on page 22.

Agenda

1:00 – 1:05 p.m. WELCOME AND INTRODUCTION

1:05 – 1:35 p.m. KEYNOTE ADDRESS

1:35 – 2:30 p.m. TECHNOLOGIES OF FREEDOM: WHAT ARE THE REGULATORY IMPLICATIONS OF THE EVOLVING MEDIA ENVIRONMENT?

Moderator: TBD

Speakers:

Ålan Davidson, Director of Government Relations and Public Policy, Google **Joe Waz**, Senior Vice President, External Affairs and Public Policy Counsel, Comcast **Gigi Sohn**, President and Co-Founder, Public Knowledge Others TBD

2:40 – 2:50 p.m. BREAK

2:50 – 3:45 p.m. THE FUTURE OF JOURNALISM: IS IT TIME FOR A BAILOUT?

Moderator:

Barbara Cochran, President Emeritus, RTNDA

Speakers:

Steven Waldman, Senior Advisor to Chairman Julius Genachowski. Federal Communications Commission Barbara Wall, Vice President, Gannett Andy Schwartzman, President and CEO, Media Access Project Gene Policinski, Vice President and Executive Director of the First Amendment Center, Freedom Forum

3:55 – 5:00 p.m. NEW TECHNOLOGY AND THE FIRST AMENDMENT: WHAT IS THE RATIONALE FOR REGULATION?

Moderator: TBD

Speakers: **Bob Corn-Revere**, Partner, Davis Wright Tremaine LLP **Marvin Ammori**, General Counsel, Free Press **Christopher Yoo**, Professor of Law, Communication, and Computer and

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CLE Seminars

MARCH 31 CLE CONTINUED FROM PAGE 5

Information Science; Director, Center for Technology, Innovation, and Competition, University of Pennsylvania Others TBD

Tuesday, April 6, 6:00 – 8:15 p.m. Increasing Opportunities for Minority Entrepreneurs in Media and Telecommunications Presented by the FCBA Diversity Committee in association with the Minority Media and Telecommunications Council ("MMTC")

The FCBA Diversity Committee and MMTC will hold a CLE on Tuesday, April 6, 2010, from 6:00 - 8:15 p.m. on Increasing Opportunities for Minority Entrepreneurs in Media and Telecommunications. This CLE program will discuss judicial limits on minority opportunity programs, increasing minority ownership opportunities under the Obama Administration, and additional proposals for advancing minority ownership. Speakers will include Antoinette C. Bush, Partner, Skadden, Arps, Slate, Leagher & Flom LLP; Maureen A. Lewis, Director, Minority Telecommunications Development Program, National Telecommunications

and Information Administration (Invited); **Thomas A. Reed**, Director, Office of Communications Business Opportunities, Federal Communications Commission; **David Honig**, President and Executive Director, Minority Media and Telecommunications Council; and **S. Jenell Trigg**, Member, Lerman Senter PLLC. This program will be held at Arnold & Porter LLP, 555 12th Street, NW.

For further information, please contact **William Cook** at 202-942-5996 or william_cook@aporter.com, or **Maurita Coley** at 202-973-4314 or maurita@coleylawmedia.com.

To register, go to the FCBA website – Calendar of Events or use the form on page 22.

NOMINATIONS

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addition, the committee will view favorably nominees who have mentored more junior government employees. 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 bv nominations email to kerry@fcba.org. Nominations are due no later than March 15, 2010.

MARCH LUNCHEON

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Mr. Lazarus is also the author of the highly-acclaimed books *Closed Chambers*, about the inner workings of the Supreme Court, and *Black Hills*, *White Justice*, about the legal history of the Sioux Nation's land claims against the United States for compensation for the Black Hills. Mr. Lazarus's writing has appeared in Time Magazine, the Atlantic Monthly, U.S. News & World Report, The New York Times, The Washington Post, The Los Angeles Times, and The Chicago Tribune.

In addition to his work as an attorney and his writing, Mr. Lazarus taught various courses at the Cardozo School of Law, the University of California at Davis, and Loyola Law School.

Mr. Lazarus has engaged in many charitable activities, having served as the Chairman of the board of AbilityFirst, a provider of housing and vocational services to people with disabilities, and the Children's Law Center of Los Angeles, a nonprofit legal services organization that represents roughly 25,000 dependent youth in Southern California.

Mr. Lazarus graduated from Yale University in 1981 and Yale Law School in 1987.

2010 FCBA Membership Directories

The FCBA 2010 Membership Directories were mailed to members. Please use the order form on **page 29** to order additional copies for your office.

ANNUAL SEMINAR

CONTINUED FROM PAGE 1

weekend, including a thoughtprovoking seminar program and plenty of outdoor and indoor activities.

The program will include senior government leaders and financial analysts, who will address "Broadband and Bevond" – what follows in the wake of the National Broadband Plan and what "non-broadband" priorities lie ahead in 2011? The seminar kicks off on Friday afternoon with FCC Bureau and Office Chiefs providing their insights into the hot items for 2010 followed by keynote remarks from a major communications policy maker. Following the sessions, everyone will enjoy our traditional family barbeque dinner on the Casino lawn, followed by bingo, bowling, and other activities.

Saturday morning will feature remarks from FCC Commissioners and Larry Stickling, Assistant Secretary of Commerce and Administrator of NTIA. There also will be a panel discussion of experts focused on "New Media" that cover key intellectual property and regulatory issues associated with this part of the rapidly evolving communications landscape. Following the program Saturday afternoon will be the golf and tennis tournaments along with other special planned activities. On Saturday evening, our younger seminar participants will enjoy their own banquet and special activities while the adults enjoy their closing dinner followed by an evening of dancing and conversation. Sunday morning enjoy The Homestead's famous weekend brunch

The Homestead is not only a terrific conference facility, but is also a premier resort destination and ideal for a weekend getaway. Founded 10 years before the American Revolution, it is located on 3,000 acres in the heart of the Allegheny Mountains in Hot Springs, Virginia. Though only 210 miles from Washington, DC, the Homestead's bucolic setting will make you feel as though you have stepped back to a very different time and place.



Homestead Cascades Course Hole No. 16

Scheduled activities for seminar participants on Saturday afternoon include the golf and tennis tournaments, a cooking school with one of The Homestead Chefs, and a hike through the Cascades Gorge with a Naturalist from The Homestead.

KIDS CLUB

The Homestead Kids Club is licensed through the Commonwealth of Virginia Department of Social Services and requires a copy of each child's birth certificate or Passport as well as immunization records. Kids Club is available daily with a full day session, with lunch, from 9:00 a.m. – 4:00 p.m., as well as morning or afternoon sessions with or without lunch. Reservations are strongly encouraged and should be made by calling 540-839-7677 as far in advance as possible.

BABYSITTING SERVICES

Babysitting services are available through the resort by calling 540-839-7956. A 72-hour advance reservation is required. Babysitting is provided in your room with the option for the sitter to take children out and about on the resort grounds. Reservations for babysitters should be made as far in advance as possible.

FRIDAY NIGHT BINGO

The tradition continues as once again the youngest to the oldest seminar participants can play bingo for exciting and fun prizes. Bingo is sponsored by AT&T.

BOWLING

The Bowling Alley has been reserved from 9:00 – 11:00 p.m. Friday evening for FCBA seminar participants. Everyone will enjoy rolling a game on the self-scoring lanes, playing the video games or a game of pool, and the competitive company of seminar participants, young and old alike.

GOLF TOURNAMENT

The tournament will be played on the Old Course Saturday afternoon and will begin with a shotgun start at 1:00 p.m. Box lunches will be provided for all golfers. Proper golf attire is required for all golfers. The golf tournament is sponsored by Verizon.

Special arrangements have been made for the golfers to play the Old Course on Friday for only \$125.00 plus tax. Make your tee time directly with The Homestead Pro Shop to take advantage of this special rate, and be certain to tell them you are attending the FCBA seminar.

TENNIS TOURNAMENT

Four courts have been reserved for our tennis players from 1:00 – 3:00 p.m. Saturday afternoon for a round-robin tournament. Sport drinks, water, and fruit will be provided.

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ANNUAL SEMINAR

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THE SPA

Do you need to get away? Are you looking for a relaxing luxury spa surrounded by the beautiful Alleghany Mountains? Imagine yourself in one of America's most historic spas, where you can refresh and revitalize yourself in nothing less than the most luxurious of surroundings. It is a place built on the centuries-old tradition of "taking the waters," but stands ready to bring you the most innovative of luxury spa treatments available today in a unique historic setting. It is The Homestead Spa, one of the premier luxury spas of the world. Advance reservations are strongly encouraged. For vour convenience, you may request treatments at the Spa at The Homestead simply by calling us at 866-354-4653.

OTHER RESORT ACTIVITIES

Renowned as a world-class resort, The Homestead offers a wide variety of activities to enjoy during your free time, including:

- An Aerobics Room, Fitness Center, and a spring-fed indoor pool
- Carriage Rides
- Falconry Lessons
- Fly-Fishing



Carriage rides at The Homestead

- Hiking
- The High Ropes Course
- Lawn Games
- The Shooting Club
- Horseback Riding
- The Jefferson Pools
- Mountain Biking
- Outdoor Adventures including paintball, kayaking, canoeing, and more
- Bowling
- Movies
- And more ...

The challenge won't be finding something to do, but finding time to do it all!

To learn more about The Homestead, its history, and many activities, go to: http://www.thehomestead.com/ about_the_homestead/.

Mark your calendars now and plan to join your friends and colleagues at The Homestead for the 2010 FCBA Annual Seminar.

Please use the form on page 23 to register and the form on page 24 for resort room reservations.

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 the 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. We urge applicants to apply early. **The scholarship application can be found on page 25 of this month's newsletter.**

FCBA ANNUAL SEMINAR SCHOLARSHIPS

Information and Application Instructions:

- 1. Scholarships are available to all federal government employees and full-time professors.
- 2. To apply, please fax or email a completed registration form along

with a copy of your ID card from your federal government agency or academic institution.

- 3. Applications will be processed on a first-come, first-served basis. The cut-off date for applications is **Wednesday, March 31, 2010.**
- 4. Scholarships may be applied only toward the registration fee for the 2010 FCBA Annual Seminar. (Individuals receiving scholarships are responsible for the other costs of attending a seminar, including travel and lodging expenses).

Please fax or email the application found on page 25 to:

FCBA Annual Seminar Scholarship Committee Fax: (202) 293-4317 Email: fcba@fcba.org

COMMITTEE AND CHAPTER Events

Annual Seminar Committee

Event: Brown Bag Lunch Date/Time: Tuesday, March 16, 12:00 – 1:30 p.m. Location: Wiltshire Grannis, LLP, 1200 18th Street, NW, 12th Floor Purpose: The Committee will work on planning efforts in connection with the Annual Seminar. All members interested in assisting with the Annual Seminar are encouraged to attend.

RSVP to: FCBA website – Calendar of Events

Diversity Committee

Event: 5th Annual Mentoring Luncheon cosponsored by the Young Lawyers Committee **Date/Time:** Wednesday, April 21, 12:00 – 2:00 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW, Main Conference Center

The Diversity and Young Lawyers Committees invite all junior lawyers to meet and have lunch with senior communications attorneys from Congress, major law firms, the FCC, and communications companies. Junior lawyers will have the opportunity to network and discuss career questions. The Mentoring Luncheon is intended to facilitate collegiality and friendships between senior and junior level attorneys within the FCBA. Attorneys at all levels of seniority are encouraged to attend. **For further info:** Contact Edgar Class at

202-719-7504 or eclass@wileyrein.com, or Micah M. Caldwell at 202-939-7901 or mcaldwell@fh-law.com. The luncheon cost is \$25.

To register: FCBA website – Calendar of Events or use the form on page 26.

Engineering and Technical Practice Committee

Event: Brown Bag Lunch **Date/Time:** Monday, March 8, 12:15 – 1:30 p.m. **Location:** Sidley Austin LLP, 1501 K Street, NW

Topic: Meet the FCC's Technologists: Join us for a discussion on the differing roles of FCC's top technical advisors and how engineering and technical analysis can better fit into FCC decision making.

Speakers: Julie Knapp, Chief, Office of Engineering and Technology, FCC; Jon Peha, Chief Technologist, Office of Strategic Planning, FCC; Stagg Newman, Chief Technologist, National Broadband Task Force, FCC

RSVP to Tami Smith, tesmith@sidley.com

Event: Luncheon co-sponsored by the Wireless Committee **Date/Time:** Wednesday, May 5, 12:15 – 1:30 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW, Main Conference Center

Topic: Technologies of the Future: Current DARPA Research That Might Lead to Future Commercial Technologies. Many cutting-edge technologies of today can be traced back to research and development funded by the Defense Advanced Research Projects Agency (DARPA), an arm of the Department of Defense. Come hear two DARPA insiders talk about the agency's current projects that could well become the communications technologies that we rely on in the future.

Speakers: Dr. Tim Gibson, former Program Manager, DARPA, and Dr. Preston Marshall, Director, Information Sciences Institute, University of Southern California (former Program Manager, DARPA)

For More Information: Contact Laura Stefani at 202-429-4900 or lstefani@g2w2.com **To register:** FCBA website – Calendar of Events or use the form on page 22.

Homeland Security and Emergency Communications Committee

Event: Brown Bag Lunch Date/Time: Friday, April 16, 12:15 – 1:30 p.m.

Location: Holland & Knight, LLP, 2099

Pennsylvania Avenue, NW

Topic: Public Safety Provisions in the National Broadband Plan

Speakers: Jamie Barnett, Chief, Public Safety and Homeland Security Bureau, and other front office staff

RSVP to: FCBA website – Calendar of Events

International Telecommunications Committee

Event: Luncheon on EU Electronic Communications Regulatory Developments **Date/Time:** Monday, March 15, 12:00 Noon *(*note date change*)

Location: Hogan & Hartson LLP, Fulbright Center, 13th Floor West, 555 Thirteenth Street, NW.

Speakers: Gerry Oberst and Winston Maxwell, Brussels and Paris offices of Hogan & Hartson LLP and Mindel De La Torre, Chief of the FCC's International Bureau.

More information: In their presentations, Gerry and Winston will discuss recent changes affecting spectrum regulation, network neutrality, and data breach notification, as well as the creation of a new European regulatory body.

Lunch will be provided. RSVPs are required. **RSVP to: FCBA website – Calendar of Events

Mass Media Committee

Event: CLE Seminar **Date/Time:** Tuesday, March 16, 6:00 – 8:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW **Topic:** Political Broadcasting Rules Update 2010. The 2010 mid-term elections are shaping up to have competitive races across the country. The Supreme Court's Citizens United decision will allow corporations to run their own campaign ads. This CLE program will discuss the impact of the Supreme Court's decision, review the FCC's political broadcasting rules, consider new questions that will face stations, and look at how political time buyers view the political broadcast time process.

For more information: See page 5. **To register:** FCBA website – Calendar of Events or use the form on page 22.

Event: CLE Seminar presented in association with the Freedom Forum and the ABA Forum on Communications Law

Date/Time: Wednesday, March 31, 1:00 – 5:00 p.m.

Location: Newseum, Freedom Forum, 555 Pennsylvania Avenue, NW **Topic:** Media Regulation and the First

Amendment in the 21st Century For more information: See page 5.

To register: FCBA website – Calendar of Events or use the form on page 22.

Event: Brown Bag Lunch **Date/Time:** Tuesday, April 6, 12:15 – 1:30 p.m.

Location: NAB, 1771 N Street, NW **Topic/Speaker:** Focusing the FCC on Future of Media in a Changing Technological Landscape: Meet Steven Waldman. **RSVP to:** FCBA website – Calendar of Events

Privacy and Data Security Committee

Event: CLE Seminar presented in association with the ABA Communications Law Forum **Date/Time:** Thursday, March 11, 2:00 – 6:00 p.m.

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

Topic: The 5th Annual ABA/FCBA Privacy & Data Security Symposium for Communications and Media Companies: A New Decade: New Challenges and New Liabilities

For more information: See page 3. **To register:** FCBA members may register online at www.fcba.org – Calendar of Events or use the form on page 22. ABA members should send in the registration form.

Event: Breakfast

Date/Time: Wednesday, March 24, 8:00 – 9:00 a.m. Location: Reed Smith LLP, 1301 K Street, NW, East Tower Topic: Coffee and Croissants with London Data Privacy Partner, Cynthia O'Donoghue –

CONTINUED ON NEXT PAGE

COMMITTEE AND CHAPTER Events

The European Commission has been active in the past few months and recent regulatory updates could have an impact on your data disclosure practices. Join Cynthia O'Donoghue for a discussion of the new cookie consent proposal, other recently proposed amendments to the EU Directive by the Article 29 Working Group and an update on EU enforcement power. Cynthia will discuss these regulatory 'hot topics' and provide a cheat sheet to guide attorneys through the analysis of when to involve local European counsel. **RSVP to:** Desiree Logan at dlogan@reedsmith.com or 202-414-9318

Transactional Committee

Event: Brown Bag Lunch Date/Time: Wednesday, March 10, 12:15 – 1:30 p.m. Location: Hogan & Hartson LLP, 555 13th Street, NW Topic: Meet the FCC's Transaction Team

Speakers: Jim Bird, Senior Counsel, Office of General Counsel Transaction Team, FCC **RSVP to:** Marc Knox, mknox@wbklaw.com

Wireless Committee

Event: CLE Seminar presented by CTIA – The Wireless Association[®] in association with the FCBA

Date/Time: Monday, March 22, 12:00 – 5:00 p.m.

Location: Las Vegas Convention Center, Room N252

Topic: The Evolving Wireless Ecosystem -What's Next in Wireless Law, Policy and Technology

For more information: See page 15. To register: Visit

http://www.ctiawireless.com/ events/event_details.cfm?calID=1063.

Event: Luncheon co-sponsored by the Engineering and Technical Practice Committee **Date/Time:** Wednesday, May 5, 12:15 – 1:30 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW, Main Conference Center

Topic: Technologies of the Future: Current DARPA Research That Might Lead to Future Commercial Technologies. Many cutting-edge technologies of today can be traced back to research and development funded by the Defense Advanced Research Projects Agency (DARPA), an arm of the Department of Defense. Come hear two DARPA insiders talk about the agency's current projects that could well become the communications technologies that we rely on in the future.

Speakers: Dr. Tim Gibson, former Program Manager, DARPA, and Dr. Preston Marshall, Director, Information Sciences Institute, University of Southern California (former Program Manager, DARPA) **For More Information:** Contact Laura Stefani at 202-429-4900 or lstefani@g2w2.com **To register:** FCBA website – Calendar of Events or use the form on page 22.

Wireline Committee

Event: CLE Seminar Date/Time: Thursday, March 4, 6:00 – 8:15 p.m. Location: Sidley Austin LLP, 1501 K Street, NW, 6th Floor Topic: Special Access – Historical Perspective and Current Issues For more information: See page 3. To register: FCBA website – Calendar of Events or use the form on page 22.

Young Lawyers Committee

Event: Happy Hour

Date/Time: Thursday, March 25, 6:00 – 8:00 p.m.

Location: Mackey's Public House, 1823 L Street, NW (L Street between 18th and 19th), 202-331-7667

More Info: Join the Young Lawyers Committee at Mackey's for our monthly happy hour. All are welcome! Mackey's is easily accessible off the Red Line from the Farragut North Metro Station, and off the Orange Line from the Farragut West Metro Station.

For more information: Contact Nguyen Vu, nguyen.vu@bingham.com or Micah Caldwell, mcaldwell@fh-law.com.

Event: 5th Annual Mentoring Luncheon cosponsored by the Diversity Committee **Date/Time:** Wednesday, April 21, 12:00 – 2:00 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW, Main Conference Center

The Diversity and Young Lawyers Committees invite all junior lawyers to meet and have lunch with senior communications attorneys from Congress, major law firms, the FCC, and communications companies. Junior lawyers will have the opportunity to network and discuss career questions. The Mentoring Luncheon is intended to facilitate collegiality and friendships between senior and junior level attorneys within the FCBA. Attorneys at all levels of seniority are encouraged to attend. **For further info:** Contact Edgar Class at 202-719-7504 or eclass@wileyrein.com, or Micah M. Caldwell at (202) 939-7901 or mcaldwell@fh-law.com.

The luncheon cost is \$25.

To register: FCBA website – Calendar of Events or use the form on page 26.

Event: Co-Chair Election & Brown Bag Lunch Planning Meeting **Date/Time:** Monday, May 10,

12:15 – 1:30 p.m.

Location: Fleischman and Harding LLP, 1255 23rd Street, NW, 8th Floor No proxy votes are allowed, so be sure to attend. All are welcome, but voting is limited to current YLC members. All nominations should be emailed to Cathy Hilke (chilke@wileyrein.com) and Micah Caldwell (mcaldwell@fh-law.com) no later than Monday, May 3. Self-nominations welcome.

Interested in Hosting an FCBA event?

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

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

5th Annual Mentoring Luncheon to be Held on April 21

The 5th Annual Mentoring Luncheon will be held on **Wednesday**, **April 21**, **2010** from **12:00 Noon to 2:00 p.m.** at the law offices of Wiley Rein LLP, 1776 K Street, NW, Main Conference Center. There will be an opportunity for attendees to network from Noon to 12:30 p.m. Lunch will begin at 12:30 p.m. and will be followed by an address by **Antoinette Cook Bush**, partner at

Skadden, Arps, Slate, Meagher & Flom LLP.

Attendees will be seated in groups of 8 or 10 with two senior members of the FCBA seated with each group. I m m e d i a t e l y following Ms. Bush's remarks,



Antoinette Cook Bush

the senior FCBA members will lead a discussion at each table. There is no agenda for these discussions; instead, attendees are encouraged to raise any issues and ask any questions about career development, mentoring, professional growth opportunities, how to become a better lawyer, etc. Past luncheons have proven to be very popular and attorneys of all levels of seniority and experience are encouraged to attend and participate. Space is limited so register early.

For more information contact Edgar Class at 202-719-7504 or eclass@wileyrein.com, or Micah M. Caldwell at 202-939-7901 or mcaldwell@fh-law.com.

The luncheon cost is \$25.00. Please register on the FCBA website Calendar of Events or use the form on page 26.

Charity Auction Beneficiary Application Now Available

The Auction Committee is now accepting applications from local charities to be considered as beneficiary of the 21st Annual Charity Auction proceeds. The application is available at http://www.fcba.org/upload/auctionbene ficiaryapplication2010.doc and should be received by the FCBA by U.S. Mail, fax, or email no later than **Friday**, **May 7, 2010**.

International Telecommunications Committee Luncheon on EU Electronic Communications Regulatory Developments

*(note date change)

On Monday, March 15, 2010 at 12:00 noon, the FCBA International Telecom Practice Committee will be sponsoring a presentation on recent revisions to the European Union's electronic communications regulatory framework, featuring Gerry Oberst and Winston Maxwell, partners in the Brussels and Paris offices of Hogan & Hartson LLP. In their presentations, Gerry and will discuss Winston recent changes affecting spectrum regulation, network neutrality, and data breach notification, as well as the creation of a new European regulatory body. Mindel De La Torre, Chief of the FCC's International Bureau, will also participate in event as a discussant. The event will be held in the Hogan & Hartson LLP, Fulbright Center, 13th Floor West, 555 Thirteenth Street, NW. Lunch will be provided and the and

RSVP is required. Please RSVP to the FCBA website – Calendar of Events.

National Moot Court Competition on March 27

The FCBA National Telecommunications Moot Court Competition Committee is pleased to announce that the 16th Annual National Telecommunications Moot Court Competition has been rescheduled and will be taking place at the Catholic University of America, Columbus School of Law on Saturday, March 27, 2010. Please join us for the final round at 4:00 p.m. on in the Slowinski Moot Court Room. A reception will follow at approximately 5:30 p.m.

Originally established by the Institute for Communications Law Studies and FCBA. the National the Telecommunications Moot Court Competition provides students the opportunity to argue before private and government practitioners in the communications field. This year's problem addresses difficult jurisdictional and statutory questions that may arise if policymakers seek to regulate how broadband providers design their service offerings.

This year's competition will feature a select group of elite schools, with teams hailing from, among other schools, the University of Wisconsin, Howard University, and the University of Colorado. In 2009, a Catholic University team won the competition.

FCBA members are invited to serve as judges for oral arguments occurring on March 27. Those interested in participating should contact Competition Vice Chancellor **Rachael Bender** at 28brownr@cardinal mail.cua.edu.

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COMMITTEE AND CHAPTER News

MOOT COURT

CONTINUED FROM PAGE 11

Agenda

8:00 a.m.	Registration
9:00 a.m.	Preliminary Round (On-Brief)
10:00 a.m.	Break
11:00 a.m.	Preliminary Round (Off-Brief)
12:00 p.m.	Lunch
2:00 p.m.	Semi-Final Round
3:00 p.m.	Break

4:00 p.m.	Final Round
5:30 p.m.	Awards Ceremony
5:45 p.m.	Reception

Young Lawyers Committee Co-Chair Election

The YLC co-chair election will be held on **Monday**, **May 10**, **2010** at **12:15 p.m.** at Fleischman and Harding LLP, 1255 23rd Street, NW, Eighth Floor. In addition to the election, this will be a brown bag lunch and committee planning meeting. The Young Lawyers Committee elects one co-chair each year to serve a two year term. All other volunteer roles with the YLC are appointed.

No proxy votes are allowed, so be sure to attend. All are welcome, but voting is limited to current YLC members. All nominations should be emailed to **Cathy Hilke** (chilke@wiley rein.com) and **Micah Caldwell** (mcaldwell@fh-law.com) no later than Monday, May 3. Self-nominations welcome.

Northern California Chapter Event

On January 27, the Northern California Chapter met at Davis Wright Tremaine LLP's San Francisco office to hear Derek Google Slater of discuss Google's involvement in the broadband policy debate and a number of the company's recent initiatives involving broadband. Everyone had an opportunity to socialize before the program and participate in a lively discussion with Derek during his presentation.



Marty Mattes, Anita Taff-Rice, Helen Mickiewicz, and Mary Wand



Derek Slater and Robert Millar



Steve Bowen, Nick Selby, and Eric Artman

COMMITTEES AND CHAPTERS in the Spotlight

Law Journal Committee

Whether by e-mail hyperlink, paper issue, or website download, FCBA members have ready access to another year of the Association's long-running academic publication, the Federal Communications Law Journal. Over the past year, the Law Journal Committee continued to serve as a primary point of contact between the Association and the Journal's host school and co-publisher, Indiana University School of Law-Bloomington. The Committee works with the Iournal's student editors, faculty advisor, and administrators on matters relating to our publication contract. Through regular conference calls and an annual on-site visit, the Committee also works to make the student editors aware of specific communications-related topics of interest to our membership and discusses general issues of editorial policy. In addition, the Committee tries to facilitate interaction between students who are members of the Journal and members of the Association by, for example, working with the FCBA leadership to secure resources for student notes and book review authors.

The Committee has traditionally been comprised of members with different professional perspectives, including private practitioners, FCC staff, and academics who specialize in communications law. The current make-up is no different. This year Deborah Salons, an associate at Drinker Biddle & Reath LLP and former Editorin-Chief of the Journal, returns as cochair, and Donna Gregg, Law Professor at the Catholic University of America Columbus School of Law, joins as cochair. Chris Wright, partner at Wiltshire & Grannis LLP, also returns as Executive Committee Liaison. We are grateful to Jamison Prime, of the FCC's Office of Engineering and Technology and a former editor of the Journal, whose contributions were many during his seven years as a co-chair, from 2002-2009.

Save the Date! FCBA Foundation 14th Annual Golf Tourney to be Held Monday June 7, 2010

The snow WILL melt, eventually. And as our way of fostering those thoughts of green, mark your calendars for **Monday June 7**, **2010** for the 14th Annual Robert E. Lee Charity Golf Tourney supporting the FCBA Scholarship Fund. We are very excited to announce that this year's tournament will be held at **The Country Club at Woodmore** in Mitchellville, MD. The Arnold Palmer designed course is consistently ranked as one of the best in the Mid-Atlantic region and has for the past several years hosted the area's only Nationwide PGA Tour event. In January 2008, the Club received the Golf Digest Architecture Award in recognition of outstanding design, from the editors of Golf Digest Magazine and the National Panel of Course Raters. Better yet, CC Woodmore is conveniently located just minutes outside the Beltway for those feeling the need to head to work afterwards (though we promise not to tell anyone if you don't).

Registration details and forms will be available in the April newsletter. But in the meantime, mark your calendars now for this great day of golf in support of a great cause. The Golf Committee always welcomes anybody interested in helping pull the event together. Contact Glenn Reynolds at greynolds@ustelecom.org if you are interested.

With the encouragement of the FCBA leadership, the Committee has continued to examine how scholarly publishing is evolving in the electronic age, and to make recommendations as to how we could better use electronic resources to enhance the Journal's availability and value to the membership. The co-chairs of the Committee had the opportunity to visit Bloomington in November to meet with students and faculty to discuss the editorial process and the advantages of making the Journal available on various online databases. Currently, the Committee is working with the leadership of the Journal to explore electronic scholarly database opportunities.

The Committee always enjoys the opportunity to engage with law students and the academic community, and has been encouraged by the recent work at Indiana and for the enthusiasm and contributions of Professor Jody Madeira in her role as faculty advisor. This year's student editorial staff, led by Editor-in-Chief Jeff Lawson, is hard at work on the remaining two issues of the Journal, which are slated to include contributions, among others, dealing with network management, net neutrality, broadcast localism, and broadband penetration rates. The Journal staff is comprised of 60 students, 23 of which are on the Editorial Board. The Journal Committee is also pleased to report that the Journal staff encourages their members to participate in various FCBA events, and sends two teams to participate in the Catholic University School of America Columbus School of Law's National Telecommunications Moot Court competition.

We encourage committee members and others in the Association to help with our ongoing efforts to assist student writers in the development of timely and informative notes. As always, we encourage all members of the Association to contact the co-chairs with their comments and ideas.

Nominations Committee Presents Slate of Candidates

Pursuant to Article V, Section 19 of the Association's By-Laws, the FCBA Nominations Committee has nominated the persons set forth below as candidates for the positions shown for terms beginning July 1, 2010. Pursuant to Article IV, Section 2 of the By-Laws, this year, four (4) individuals will be elected to the Executive Committee, three for three-year terms and one for a one-year term to fill a vacancy due to a resignation of an Executive Committee member prior to the expiration of their full term.

OFFICERS

President-Elect Yaron Dori Covington & Burling LLP

Secretary Laura H. Phillips Drinker Biddle & Reath LLP

Assistant Secretary Ryan G. Wallach Willkie Farr & Gallagher LLP

Assistant Treasurer Joseph M. Di Scipio Fox Televisions Stations, Inc.

EXECUTIVE COMMITTEE

(Three to be elected for three-year terms, one to be elected to a one-year term. The three individuals receiving the three highest vote totals will be elected to three-year terms. The individual receiving the next highest vote total will be elected to a one-year term.)

Dennis P. Corbett Lerman Senter PLLC

Parul Desai Media Access Project

Eric N. Einhorn Windstream Communications **Rosemary C. Harold** Federal Communications Commission

Lee G. Petro Fletcher Heald & Hildreth, PLC

Glenn T. Reynolds USTelecom

Colin Sandy National Exchange Carrier Association

Megan Anne Stull Google Inc.

CHAPTER REPRESENTATIVE TO EXECUTIVE COMMITTEE

Bradford W. Bayliff Casey, Gentz & Magness, L.L.P.

NOMINATIONS COMMITTEE

(Three to be elected for two-year terms)

John B. Branscome Federal Communications Commission

James M. Burger Dow Lohnes PLLC

Peter M. Connolly Holland & Knight, LLP

Stacy Robinson Fuller DIRECTV

Luisa L. Lancetti Wilkinson Barker Knauer, LLP

Frank R. Jazzo Fletcher Heald & Hildreth, PLC

FCBA FOUNDATION BOARD OF TRUSTEES (Four to be elected for three-year terms)

Christopher R. Bjornson Steptoe & Johnson LLP

Ann West Bobeck National Association of Broadcasters

Karen Brinkmann Latham & Watkins LLP

Jennie Chandra Windstream Communications **Edgar Class** Wiley Rein LLP

Peter A. Corea DBSD North America

David M. Don Comcast Corporation

Donna Epps Verizon

Pursuant to the FCBA's By-Laws, current President-Elect, **Bryan N. Tramont**,

Wilkinson Barker Knauer, LLP, will become President and current Assistant Treasurer, **Lauren M. Van Wazer**, Cox Enterprises, Inc., will become Treasurer on July 1, 2010. In addition, **David L. Rice**, Miller Nash, LLP, will serve a second year as a Chapter Representative.

Pursuant to Article V, Section 19(c) of the FCBA By-Laws, additional nominations of candidates for the positions listed above may be made by Petition. The signatures of at least twenty-five (25) members of the FCBA must support each candidate nominated by Petition. Nominating Petitions must be submitted no later than Friday, April 2, 2010 to Stanley D. Zenor, FCBA Executive Director, 1020 19th Street, NW, Suite 325, Washington, DC 20036.

Election materials and instructions for voting will be sent to all members eligible to vote around May 1, 2010. The election results will be announced during the Annual Meeting at the June Luncheon.

Special thanks to members of the Nominations Committee this year:

Mark D. Schneider, (Chair); James S. Blitz, Carolyn W. Brandon, Robert E. Branson, Scott D. Delacourt, Angela E. Giancarlo, Kathleen Grillo, Sara F. Leibman, Melisa Newman, Jamison S. Prime, Gigi Sohn, Sherrese Smith, and Bryan N. Tramont.

SPECIAL Events

The Evolving Wireless Ecosystem -What's Next in Wireless Law, Policy and Technology Monday, March 22, 2010, 12:00 – 5:00 p.m.

Presented by CTIA – The Wireless Association[®] in association with the FCBA

Location: Las Vegas Convention Center, Room N252

Cost: CTIA Members and FCBA Members: \$125.00 (Use code FCBA2010, when prompted, to receive member discount). Non-CTIA/FCBA members: \$175.00

BONUS! All registrants to The Evolving Wireless Ecosystem will also have access to the keynote sessions, to the exhibit floor and other free special interest seminars! The FCBA has applied for 4.0 hours of CLE credit. Approval is pending.

To register, visit http://www.ctiawireless.com/events/ event_details.cfm?calID=1063.

Agenda

12:00 – 1:00 p.m. PANEL I: NEXT-GENERATION LICENSING AT THE FCC

As part of the FCC's comprehensive review of its electronic systems and administrative procedures, the FCC is developing a next generation of electronic licensing system to improve and simplify the user experience while providing additional research and mapping tools to increase transparency and utility of licensing information. Come hear from FCC presenters their development process and share your views regarding how to improve FCC electronic systems.

1:15 – 2:15 p.m. PANEL II: INDUSTRY REACTIONS TO THE NATIONAL BROADBAND PLAN

Wireless industry representatives from each segment of the wireless ecosystem will provide their perspectives on the FCC's National Broadband Plan. Panelists will discuss the regulatory and technical implications of the FCC's short-, medium- and long-term steps intended to achieve the goals of increased broadband adoption and penetration, consistent with underlying "national purposes."

2:30 – 3:30 p.m. PANEL III: "COOL NEW STUFF"

Join this panel of entrepreneurs and policy experts as they discuss new developments in the wireless industry. Discussion will focus on innovation in the wireless "ecosystem," and real world examples of how new products and services get to market. Are new types of partnerships and alliances developing between different industry segments? What can government do to spur investment and innovation? Are there legal and regulatory impediments that slow innovation and what can be done to address them?

3:45–4:45 p.m. PANEL IV: DEFINING APPROPRIATE SPECTRUM INTERFERENCE RULES

Technical experts from academia, government and the wireless industry discuss and debate protections needed among competing wireless desires. Discussion will focus on the need to protect existing uses while ensuring that new entrants/new uses are not unnecessarily barred. Are existing interference protections acceptable? How does the FCC need to react to the ever-burgeoning issues surrounding interference between competing mobile devices?

4:45 – 5:00 p.m. CLOSING REMARKS

Sunday, April 11, 2010 FCBA/ABA/NAB CO-SPONSOR LAS VEGAS SEMINAR

Representing Your Local Broadcaster The Scramble for Content and Delivery: It's "Up in the Air"

Over the past several years, the annual Las Vegas seminar on *Representing Your Local Broadcaster* has become the preeminent broadcast law programs in the country. The reason is a consistent focus on the practical, daily issues facing stations and their lawyers.

For our 29th year, we will look at the major issues facing our industry in the era of sustained economic challenges, new leadership, a quadrennial ownership review, a National Broadband Plan and rapid technological advances. This is a must-attend event for any broadcast regulatory attorney.

Sponsored By: CNA, Covington & Burling LLP, Davis Wright Tremaine LLP, Dow Lohnes PLLC, Holland & Knight LLP, Sheppard Mullin Richter & Hampton LLP, Wilkinson Barker Knauer, LLP and Wiley Rein LLP

Program

8:30 - 9:45 a.m. REGISTRATION AND COFFEE

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

Guylyn Cummins, Chair, ABA Forum on Communications Law Jane Mago, Executive Vice President and General Counsel, National Association of Broadcasters Robert Pettit, President, Federal Communications Bar Association

SPECIAL Events

10:00 – 11:00 a.m.

"THE HANGOVER:" FEDERAL REGULATIONS AND BROADCAST ADVERTISING ON THE MORNING OF DIGITAL

With broadcasters trying to indulge in as many new revenue flows as possible, a broadcast attorney needs to be ready to offer more than aspirin to clients who are trying to understand federal and state broadcast advertising regulations. Panelists will discuss current and imminent regulatory headaches, including key sources of advertising regulations such as the FCC, FTC and state law; sensitive topics like food and pharmaceutical marketing; and how clients can take practical precautions now to avoid many sleepless nights later.

Moderator:

Bill LeBeau, Holland & Knight LLP, Washington, DC

Speakers:

Susan Fox, The Walt Disney Company, Washington, DC Elizabeth Hammond, Nexstar Broadcasting Group, Inc., Dallas, TX Rosemary Harold, Federal Communications Commission, Washington, DC (invited) Maureen Ohlhausen, Wilkinson Barker Knauer, LLP, Washington, DC Melodie Virtue, Garvey Schubert Barer, Washington, DC

11:00 – 12:00 p.m. "EXTRAORDINARY MEASURES:" LEGISLATIVE AND REGULATORY GYMNASTICS TO PRESERVE OWNERSHIP REGULATION AND NEXT-GEN SHVERA

With broadcast stations struggling to compete and some groups even declaring bankruptcy, the FCC is asking broad, wide-ranging questions about the future of journalism, "media consolidation," and the continued relevancy of the policy troika of localism, diversity, and competition. Can broadcasters expect any ownership relief from the FCC or appellate judges? On Next-Gen SHVERA, should broadcasters be satisfied with the state of play?

Moderator:

M. Anne Swanson, Dow Lohnes PLLC, Washington, DC

Speakers:

Enrique Armijo, Covington & Burling LLP, Washington, DC Joe Di Scipio, News Corporation, Washington, DC David Kushner, Brooks Pierce McLendon Humphrey & Leonard, LLP, Raleigh, NC

Lisa Washburn, Tribune Company, Chicago, IL

12:15 – 1:45 p.m. LUNCHEON "IT'S COMPLICATED:" THE SPECTRUM DEBATE

The hottest debate in Washington telecommunications policy and fresh off the pages of the National Broadband Plan – is there really a looming spectrum crisis? How do various proposals affect broadcast spectrum and future innovation and service? What about the deployment of unlicensed devices? And, are there alternatives to consider? Join these esteemed experts as we tackle the communications broadcast-broadband ecosystem.

Co-Moderators:

Bryan Tramont, Wilkinson Barker Knauer, LLP, Washington, DC **Richard Wiley**, Wiley Rein LLP, Washington, DC

Featuring: **Parul Desai**, Media Access Project, Washington, DC **Jerald N. Fritz**, Allbritton Communications Company, Arlington, VA **Christopher Guttman-McCabe**, CTIA – The Wireless Association, Washington, DC **Megan Stull**, Google Inc., Washington, DC

1:45 – 2:00 p.m. BREAK

2:00 – 3:00 p.m. "CLEAR AND PRESENT DANGER:" GUIDING JOURNALISTS THROUGH THE CATASTROPHIC PERILS

On January 12, 2010, a massive earthquake struck Haiti. Hundreds of thousands were feared dead, electrical power ceased, and travel into Haiti ground to a complete halt. News organizations struggled to report on one of the worst catastrophes in recent history using tweets, texting, and cell phone images that could not be authenticated. As unauthenticated tweets and images filled the airways to try to convey the chaos and massive destruction and casualties that followed, new legal dangers arose. This panel will focus on the clear and present dangers in reporting on catastrophes like Haiti as they unfold using today's technology.

Moderator:

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

Speakers:

Jonathan Anschell, CBS, Los Angeles, CA

Robert Corn-Revere, Davis Wright Tremaine, LLP, Washington, DC Johnita Due, CNN, Atlanta, GA David Sternlicht, NBC, New York (invited) Journalist, (invited)

3:00 – 4:00 p.m. "AVATAR:" NAVIGATING THE WORLD OF NEW MEDIA AND BROADBAND

New-media issues continue to move to the forefront of local broadcasters' daily lives. Compliance with changing advertising and consumer privacy and data security laws is critical to broadcaster efforts to deploy new advertising and marketing methods. The right legal strategy can determine whether a new venture generates additional revenue streams – or generates consumer complaints, governmental inquiries or class action lawsuits. What are the key issues arising

CONTINUED ON NEXT PAGE

SPECIAL Events

from greater audience-station interaction via station web sites, targeted advertising, social networking services, and mobile devices? Can you stream your local content on your website or iPhone app? What legal issues are presented by the rise of mobile DTV, hybrid broadcastbroadband services, 3D content, and other services? Learn about developments in this fast-changing landscape with our panel of experts.

Moderator:

Kurt Wimmer, Covington & Burling LLP, Washington, DC

Speakers:

Jonathan Hart, Dow Lohnes PLLC, Washington, DC

John Wells King, Garvey Schubert Barer, LLC, Washington, DC Sam Matheny, CBC New Media Group,

LLC, Raleigh, NC

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

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.abanet.org/forums/ communication/ home.html or by completing the form on page 27.** All attendees of the Seminar are automatically registered for a complimentary Exhibits Only pass to the NAB Show. Additionally, all attendees are invited to NAB's Broadcast Leadership Reception (6:00 – 7:00 p.m.) at the Encore Hotel.

HOTEL: Housing fills quickly for this event, which again will be held on **Sunday, April 11,** 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/?eventid=161.

* **NOTE: Reservations must be made by March 5, 2010**. AVAILABILITY OF RESERVATIONS FOR SATURDAY ARRIVAL IS EXTREMELY LIMITED. Please be sure to identify yourself as attending the ABA Forum program.

ADVANCE **REGISTRATION:** Please submit registration form on page 27 and payment to: ABA Forum on Communications Law, MS 18.2, 321 North Clark St., Chicago, IL 60654. Credit card users may fax registration forms to 312-988-5677. The deadline for receipt of advance registrations is March 26, 2010. After that date, it will be necessary to register on-site. If you plan to register on-site, you must call 312-988-5580 at least 72 hours before the conference to confirm that space is still available. Failure to call in advance may result in your not being admitted to a sold-out program.

AIR TRAVEL: Airfare discounts are available through ABA Online Travel, Orbitz, the ABA travel agency, or directly from the airlines. To access Online Travel. ABA go to www.abanet.org, and click on the link at the bottom of the ABA Calendar box. At ABA Online Travel you will have automatic access to meeting airfare discounts, web fares and web book only airlines. The ABA's toll-free number for Orbitz for Business is 1-877- 222-4185.

CANCELLATION POLICY:

Registrants who are unable to attend the program will receive a refund less a \$50.00 administrative fee if a written cancellation is received by **April 2**, **2010.** After April 2, 2010, no refunds will be granted. Substitutions are acceptable. Cancellations may be faxed to 312-988-5677. The ABA reserves the right to cancel any programs and assumes no responsibility for personal expenses.

REGISTRATION FEE: Your registration fee includes admission to the program, coffee breaks, luncheon, reception, and one set of conference materials. Registration also automatically provides you with a complimentary Exhibits Only pass for the NAB Show.

CLE CREDIT: Accreditation has been requested for this program from every state with mandatory continuing legal education requirements (MCLE) for lawyers. Please be aware that each state has its own rules and regulations, including its definition of CLE. Check with your state agency for confirmation of this program's approval. Attorneys seeking to obtain MCLE credit in Louisiana and Pennsylvania are required to pay state accreditation fees directly to their state accrediting agency. Certificates of attendance will be distributed after the program. You may contact the program coordinator, Teresa Ucok, at 312-988-5658 for confirmation of the number of CLE credit hours requested by the ABA or credit approved by any particular state two to three weeks prior to the conference date

QUESTIONS: Please call 312-988-5580.

FCBA FOUNDATION News

FCBA Foundation Now Accepting Applications for Funding of Unpaid Legal Internships

For the seventeenth 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 2010, the Foundation will award at least five \$5,000 stipends to law students employed as unpaid summer interns in positions with the FCC and other government agencies or entities with a connection to the communications industry (i.e., broadcasting, cable television, telephony, satellite, wireless, and information technology).

In addition, the Foundation will select one outstanding intern among those chosen to receive an additional stipend of \$600 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 8 weeks in communications with a government agency or entities with a connection to the communications industry, (3) dependence on financial assistance in order to accept the unpaid internship in a government agency or entity involved in communications; 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, N.W., Suite 325, Washington, D.C. 20036, by **Friday, March 19, 2010**. Applicants may be asked to interview with members of the Foundation Board; interviews may be conducted by telephone. Winners will be notified by Friday, April 16, 2010.

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/interns hip_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. On the website, click "Giving" and "About CFC-e" for more information.

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

Awarding 11 college scholarships to D.C. public high school students and stipends to eight law school students for unpaid legal communications-related summer internships totaling over \$180,000 Sponsoring numerous volunteer events for FCBA members, including making meals for the homeless at Martha's Table and delivering meals to the homeless through McKenna's Wagon each month Co-Sponsoring the 2009 Charity Auction for Bright Beginnings and the FCBA Foundation which raised over \$86,500

Please contact **Stacy Fuller**, FCBA Foundation Chair, (sfuller@DIRECTV.com), if you have any questions.

Volunteer Outreach for Martha's Table & McKenna's Wagon March 28

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

Martha's Table feeds hundreds of hungry, homeless adults and children on the streets of Washington daily, through its mobile soup kitchen. Children and friends are also welcome. We will begin at **10:00 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. For more information, contact **Howard Weiss** at 703-812-0471 — weiss@fhhlaw.com.

FCBA FOUNDATION News

McKenna's Wagon is a mobile soup and sandwich wagon that goes "on location" to deliver food to the needy. For those who have volunteered, it has been a wonderful experience and a great way to help the needy in the D.C. community. This is an especially good experience for the teens and pre-teens among us who do not have a full appreciation of the many privileges they enjoy. Community service credits are also available.

The Wagon is a white van that is loaded up with sandwiches, snacks and soup. We meet at Martha's Table at **4:45 p.m.** in comfortable clothes and shoes. Martha's Table is located in a yellow building at 2114 Fourteenth Street, NW, in the District, near the intersection of 14th and U Streets. On-street parking is available.

Upon arrival we get assignments (some of us will distribute snacks and sandwiches, others will serve soup), and put on aprons before we depart in the van to 5th and New York Ave., NW (near the new Convention Center). We are driven by one of our experienced volunteers and the trip to distribution location takes about 10-15 minutes.

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

We would love to have you join us on one of our upcoming food runs which are always on the **4th Sunday of the month**. If you are able to volunteer on **March 28**, **April 25**, or **May 23**, please contact **Joanna Georgatsos** at georgatsos@lojlaw.com or **Tom Van Wazer** at tvanwazer@sidley.com.

JOB Bank

TO RESPOND TO JOB BANK LISTINGS

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

TO LIST A JOB

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

LAW FIRM / CORPORATE

3.10.1

Legal Administrative Assistant

(Telecommunications) - DC office of a 500 + regional law firm has an immediate opening for an experienced telecommunications legal secretary / paralegal / junior associate (1-2 vrs) with FCC experience. This is a hybrid position that will include a mix of paralegal and administrative duties. Responsibilities include providing support to five senior attorneys; preparing routine regulatory reports, researching FCC databases for information, retrieving documents from the FCC, electronic and paper filing FCC documents, performing due diligence for preparation of legal opinions, maintaining databases to track clients' affairs, obtaining documents from state commissions, opening new client matters, typing correspondence and memos, drafting, proofreading, and formatting legal documents, preparing expense reports, scheduling meetings, making travel arrangements, typing timesheets, and other administrative duties as assigned.

Ideal candidate will have 3+ years of telecommunications experience, must have strong knowledge of FCC and staff. Knowledge of FAA, SEC and staff also desirable. Must have strong knowledge of Microsoft Office Suite 2007 (Microsoft Visio experience a plus). Requires excellent oral and written skills. Ability to work independently without direct supervision and be able to juggle multiple projects. Thorough knowledge of legal research tools such as LEXIS and WestLaw (Concordance and Summation a plus). Flexibility for overtime as needed. BA/BS degree or equivalent experience preferred. We offer a competitive salary and benefits package.

Qualified candidates please forward cover letter and resume to dcresumes@wcsr.com. EOE. No phone calls please.

3.10.2

Regulatory Manager - NTELOS, an ILEC, CLEC, and wireless provider in Virginia, West Virginia and neighboring states, is currently seeking a Regulatory Manager in our corporate office in Waynesboro, Virginia. The Regulatory Manager is responsible for managing and coordinating NTELOS' compliance with a wide range of regulatory obligations at the federal, state and local levels. The Regulatory Manager also serves as a liaison with state and federal regulators, local officials, and industry peers as well as preparing federal and state tariff filings for NTELOS companies. The Regulatory Manager works as a member of NTELOS teams from various departments on new product planning and development of public policy positions for the company. The successful candidate must have at least 5 years of telecommunications experience (including experience with the tariff process); excellent communication and negotiation skills; and experience interacting with regulatory officials. Competitive salary. Please email resume and salary requirements to Sherri Yowell at yowells@ntelos.com or fax to 540-942-5030, Attention: Sherri Yowell.

In **MEMORIAM**

Joseph M. Morrissey (1923-2009)

Joe Morrissey, 86, a retired communications lawyer and a former FCBA member, died on December 30, 2009 at his home in Fairfax County, Virginia. He suffered complications from seizures attributed to injuries incurred several years ago in an automobile accident.

Morrissey was born in Brooklyn, New York in 1923. He joined the Army Air Force during World War Two and served as a navigator in North Africa and Italy during the War, flying missions over enemy-held territory at the age of 21. He later served in Germany and in Asia during the Korean and Viet Nam Wars.

While still in the Air Force, Morrissey graduated from the University of Houston in 1950 and from St. Mary's University Law School in San Antonio in 1957. He came to the Washington, D.C. area in 1964.

Morrissey retired from the Air Force in 1968, and was awarded the Legion of Merit. In his legal career, he initially worked for the Air Line Pilots Association and later became a partner in the law firm of Welch & Morgan in Washington. A part of Morrissey's practice consisted of representing applicants in comparative broadcast hearings, including license renewal proceedings, before the FCC. In addition, he represented agents of the Federal Bureau of Investigation.

Morrissey is remembered as an affable raconteur and a creative lawyer. His daughter Sheila Morrissey recalls that on one occasion, in the course of her father's representation of some FBI agents, Morrissey concluded that additional time was needed to prepare his case, under circumstances where it was not clear that he would be granted that additional time. He argued that he would need the additional time in order to obtain a special security clearance that was required for him to represent his clients effectively, a point which won him the additional time, notwithstanding that in his last assignment for the Air Force he was in fact performing intelligence work.

Morrissey was also an adjunct professor of business law at the University of Maryland from 1962 to 1989. In 1986, he retired from the practice of law, but he remained a member of the FCBA until 1998.

James H. Quello (1914-2010)

On January 24, 2010, **James Henry** "**Jim**" **Quello**, who served for nearly 24 years as an FCC Commissioner and as FCC Chairman in 1993, died at home with his family by his side. He was 95.

Quello was appointed to the FCC in 1974 by then-President Richard Nixon. His first confirmation hearing lasted an unprecedented eight days, a good deal longer than his final confirmation, which lasted a mere eight minutes. The "Boss," as Quello's loyal staff referred to him, was reappointed to the Commission several times. He retired from the FCC in 1998 to join the law firm of Wiley Rein as a consultant, where he remained until his passing.

His brief tenure as Chairman in 1993 was active. During this time, the Commission voted on many rules implementing the Cable TV Act of 1992 and created a more competitive wireless market through approval of the Personal Communication Service rules. The *New York Times* described his stint as Chairman with the headline, "Temporary Chief Proves More Than a Fill-In."

As Chairman and Commissioner, Quello was known for his affable nature and for not taking himself too seriously. As Chairman, he was instrumental in improving the *esprit d' corps* among the FCC staff and coworkers. Right up to the week before his death, Jim was inquiring about the morale of the employees at the Commission, whom he greatly admired for their hard work and dedication.

As an FCC Commissioner, Quello was respected for his independent, nonpartisan thinking. He was an ardent advocate of free universal television and of local public service by TV and radio stations. "I do deregulation, I don't do anarchy," he told the *New York Times*.

Quello entered World War II as a Private in the U.S. Army infantry, ultimately reaching the rank of Lieutenant Colonel and earning numerous commendations for his service, including the Bronze Star. He took part in six amphibious landings; fought across northern Africa, Sicily, the Italian boot, France, Germany, and Austria; and participated in the capturing of the Nazi War College. Later, he wrote of his war years in his 2001 autobiography, My Wars, Surviving WWII and the FCC, but often self effacingly confided to many that his war stories became "more heroic with every telling."

After returning from World War II, Quello worked in the promotions department at WXYZ in Detroit, jumping two years later to rival WJR, where, in 1960, he was named Vice President and General Manager. When Capital Cities Broadcasting purchased WJR, Quello continued to run the station and became a CapCities Vice President. In his radio years, he was involved with such early shows as The Lone Ranger and The Green Hornet. A leader known not only for his public relation skills and writing ability, but also for his dedication to developing diversity, Jim worked for equality and fairness both in the workplace at WJR and through participation on the Detroit Fair Housing Commission.

Quello received the Distinguished Service Award from the National

In **MEMORIAM**

Association of Broadcasters in 1994 and from the National Cable Telecommunications Association in 1997. He was inducted into the Broadcasting and Cable Hall of Fame in 1995 and was named by the Library of American Broadcasting as one of the "Giants of Broadcasting" in 2008.

In 1999, Jim Quello was honored by his alma mater, Michigan State University, with the creation of the James H. and Mary B. Quello Center for Telecommunication Policy Management and Law. The Center is a fitting tribute to the couple and their life's work.

Jim is survived by his two sons, James Quello of Ohio and Dick Quello of Florida. The family has asked that contributions be made to the Quello Center.

Richard J. Shiben (1937-2009)

Richard Joseph (Dick) Shiben, a former Chief of the Broadcast Bureau at the FCC, died December 4, 2009 at his home in Largo, Florida to which he had retired six years ago. Shiben joined the FCC in 1964, two years after earning his law degree at West Virginia University. His undergraduate degree was from St. Vincent College Latrobe. of Pennsylvania. Before becoming Bureau Chief in 1979, Dick served for several vears as Chief of the Renewal and Transfer Division in the Bureau. After leaving the Bureau in the mid-1980s, he served until his retirement as Chief of the Land Mobile and Microwave Division of the Private Radio Bureau and, briefly, as Acting Chief of that Bureau. After departing the FCC, Shiben operated a consulting business in the Washington area until his move to Florida.

Barbara Kreisman, Chief of the Video Division in the Media Bureau's Office of Broadcast License Policy recalls Dick as "a great boss; honest, straightforward with great integrity. He was fun and never took himself too seriously." Shiben was a member of the Senior Executives Association and the National Society of the Arts and Letters, and was very active with the Big Brothers Program in Washington, D.C. He was an avid golfer and played many courses throughout the U.S. and abroad.

Survivors include his wife, Denna Shiben; two brothers; three sons; a daughter; a stepson and three stepdaughters; 16 grandchildren; and one great-grandchild. Memorial contributions may be made to the American Cancer Society, Florida Division Inc., 3709 W. Jetton Ave., Tampa FL 33629, or Suncoast Hospice, 5771 Roosevelt Blvd., Clearwater, FL 33760.

The 4th Annual ABA/FCBA Privacy & Data Security for Communications and Media Companies CLE – March 19, 2009 – *DVD Now Available*

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

This seminar focuses on new state and federal laws, guidelines, developments, and risks that will impact privacy and data security for media and communications companies in 2009 and beyond under the new Obama Administration. It covered issues related to mobile marketing, behavioral advertising, social networking, the CAN-SPAM Act, fax advertising, security breach notification laws, state encryption and security practices and policies for protecting SSNs and credit card data, and much more. This year a new session discussed contracting with third parties (including advertisers and your own affiliates), requirements for due diligence for service providers, mergers and acquisitions, and an overview of insurance policies and minimum coverage requirements for privacy and data security liability. It also provides implementation specifics for the FTC's new Red Flag Rules that apply to any entity that defers payment of services or goods; the FTC's enforcement effective date is May 1, 2009. A wealth of written materials is also included on the DVD.

SESSION I - PRIVACY AND DATA SECURITY ISSUES RELATED TO OPERATIONS AND EMPLOYEES SESSION II - PRIVACY AND DATA SECURITY ISSUES RELATED TO ADVERTISING, MARKETING AND SALES SESSION III - DUE DILIGENCE, CONTRACT, AND INSURANCE REQUIREMENTS

See page 28 for order form.

COMMITTEE AND CHAPTER Event Form

Name		Organization
Address		Suite/Room/Apt
City/State/Zip		
Phone	_Fax	E-mail

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

Thursday, March 4, 6:00 – 8:15 p.m. – CLE Seminar on Special Access – Historical Perspective and Current Issues, Location: Sidley Austin LLP, 1501 K Street, NW, 6th Floor Cost: \$95.00 for Private Sector Members; \$50.00 for Government/Academic/Paralegal Members; \$25.00 for Student Members; \$150.00 for Non-Members Registrations and cancellations due by 5:00 p.m., Tuesday, March 2, 2010	Wednesday, March 31, 1:00 – 5:00 p.m. – CLE Seminar on Media Regulation and the First Amendment in the 21st Century, Location: Newseum, Freedom Forum, 555 Pennsylvania Avenue, NW Cost: \$195.00 for Private Sector Members; \$100.00 for Government/Academic/Paralegal Members; \$50.00 for Student Members; \$350.00 for Non-Members Registrations and cancellations due by 5:00 p.m., Monday,
Thursday, March 11, 2:00 – 6:00 p.m. – CLE Seminar/Symposium on Privacy & Data Security for Communications and Media Companies, Location: Arnold & Porter LLP, 555 12th Street, NW Cost: \$195.00 for Private Sector FCBA/ABA Members; \$100.00 for Government/Academic/Paralegal FCBA/ABA Members; \$50.00 for FCBA/ABA Student Members; \$350.00 for Non- Members Registrations and cancellations due by 5:00 p.m., <i>Monday, March 8, 2010</i>	March 8, 2010 Tuesday, April 6, 6:00 – 8:15 p.m. – CLE Seminar on Increasing Opportunities for Minority Entrepreneurs in Media and Telecommunications, Location: Arnold & Porter LLP, 555 12th Street, NW Cost: \$95.00 for Private Sector Members; \$50.00 for Government/Academic/Paralegal Members; \$25.00 for Student Members; \$150.00 for Non-Members Registrations and cancellations due by 5:00 p.m., Friday, April 2, 2010
Tuesday, March 16, 6:00 – 8:15 p.m. – CLE Seminar on Political Broadcasting Rule Update, Location: Wiley Rein LLP, 1776 K Street, NW Cost: \$95.00 for Private Sector Members; \$50.00 for Government/Academic/Paralegal Members; \$25.00 for Student Members; \$150.00 for Non-Members Registrations and cancellations due by 5:00 p.m., Friday, March 12, 2010	Wednesday, May 5, 12:15 – 1:30 p.m. – Wireless and Engineering & Technical Practice Committees Luncheon on Technologies of the Future, Location: Wiley Rein LLP, 1776 K Street, NW Cost: \$15.00 Registrations and cancellations due by 12:00 Noon, Monday May 3, 2010
Thursday, March 18 – FCBA Luncheon with Edward Lazarus, Mayflower Hotel, 1127 Connecticut Avenue, NW. Registration opens at 11:30 a.m. Luncheon begins at Noon. Cost: \$48.00 for Private Sector Members, \$35.00 for Government/Academic/Law Student Members, and \$70.00 for Non-members. Tables of ten available for \$480.00. Registrations and cancellations due by Noon, Tuesday, March 16, 2010	

_____ Total Enclosed 🛛 Visa 🗆 MasterCard 🖾 American Express 🗆 Check

Credit	card	no.	

Signature___

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

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

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

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

Federal Communications Bar Association

____ Exp. date ____

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

2010 FCBA ANNUAL SEMINAR Registration Form

April 30-May 2, The Homestead Resort, Hot Springs, VA

PLEASE TYPE OR PRINT CLEARLY

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Phone	Plus TennisTournament	\$
Fax		\$
Email		\$
Your Golf Handicap		\$
Your Guest/Spouse Handicap		\$
Spouse/Guest Full Name		
Children's Full Names and Ages	□ Check made payable to FCBA □ VISA □ MasterCard □ American	Express
	Card Number	
	Expiration Date	
Please provide nicknames for name	Card Holder Name	
badges for all attendees (if applicable)		
	CANCELLATION POLICY All registration fees must be rec	eived by April 16, 2010

REGISTRATION FEES:

FCBA Private Sector Member	\$395.00
FCBA Government/Academic/Law Student Member	\$195.00
Non-Member	\$700.00
Spouse/Guest	\$250.00
Teens (ages 13 to 18)	\$195.00
Children (ages 4 to 12)	\$100.00
Golf Tournament	\$175.00
Tennis Tournament	\$20.00
Cooking School, 2:00 p.m. Saturday	\$45.00
(limited to 40 participants)	
Cascades Gorge Hike, 2:00 p.m. Saturday, Adults	\$31.00
Cascades Gorge Hike, 2:00 p.m. Saturday, Child	\$11.00

Cancellations will be accepted and FCBA registration fees refunded (less a \$50.00 cancellation fee per person) if notice is received no later than April 16, 2010. No refunds will be granted after this date. If for any reason FCBA cancels this seminar, it is not responsible for any travel, hotel accommodations, or other costs incurred by the registrant. Registration for the event may be transferred to another person upon written request to the FCBA office.

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

MAIL OR FAX REGISTRATION

No registrations will be processed without payment. If paying by check, please mail your registration to: FCBA 2009 Annual Seminar, 1020 19th Street, NW, Suite 325, Washington, DC 20036. If paying by credit card, you may also fax your registration to FCBA at 202-293-4317. No phone registrations will be accepted.



Reservation Request

Federal Communications Bar Association April 30 – May 2, 2010

EAD

On-line code: FCBA

FCBA 2010 ANNUAL SEMINAR Scholarship Application

APPLICATIONS WILL BE PROCESSED ON A FIRST-COME, FIRST-SERVED BASIS. PLEASE FAX ALL APPLICATIONS NO LATER THAN WEDNESDAY, MARCH 31, 2010 TO:

FCBA Annual Seminar Committee Fax: 202-293-4317

Name	_Affiliation
Address	_Suite/Room/Apt
City/State/Zip	
	Fax
E-mail	
HAVE YOU PREVIOUSLY ATTENDED AN FCBA ANNUAL SEMII	NAR?
YES NO	
IMPORTANT: All applicants must attach a copy of a valid phot	o I.D. from an academic institution or a government agency.
Signature	

FOR OFFICE USE ONLY

Time and date received: _____

MENTORING LUNCHEON Registration Form

Wednesday, April 21, 2010 12:00 Noon – 2:00 p.m.

WILEY REIN LLP 1776 K STREET, NW, MAIN CONFERENCE CENTER WASHINGTON, D.C.

Name		_ Organization		
Address		Suite/Room/Apt		
ty/State/Zip				
	Fax Fur area of interest:	E-mail		
EASE SPECIFY YO	UR AREA OF INTEREST:	E-mail		
		E-mail	wireline	
EASE SPECIFY YO	UR AREA OF INTEREST:	E-mail		

Three ways to register:

ONLINE

Visit www.fcba.org - Calendar of Events

FAX (CREDIT CARD REGISTRANTS ONLY):	\$25.00 for all attendees
(202) 293-4317	\Box Visa \Box MasterCard \Box American Express
MAIL	Credit card no
SEND A CHECK PAYABLE TO "FCBA": 1020 19th Street, N.W.	Exp. date
Suite 325	Signature
Washington, D.C. 20036	

PAYMENT MUST BE RECEIVED NO LATER THAN FRIDAY, APRIL 16, 2010. SPACE IS LIMITED, SO PLEASE REGISTER EARLY!

ABA FORUM ON COMMUNICATIONS LAW

AMERICAN BAR ASSOCIATION

Encore Hotel • 3121 Las Vegas Blvd South, Las Vegas, NV 89109

April 11, 2010

PROGRAM REGISTRATION FORM

3 WAYS TO REGISTER:

BY FAX

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

BY MAIL

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

REGISTER ONLINE: http://www.abanet.org/forums/communication/home.html

FIRST & LAST NAM	E	
FIRST NAME (as yo	u would like it to appear on your badge)	
FIRM		
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Are you licens	ed to practice in New York 🛛 Yes 🗌 No	
FEES:	Safety Street St	□ \$250 Government/Public Interest
I LLOI	\square \$375 Members of National Assn. of Broadcasters	🗌 \$175 Law Students/BEA
	\$375 Members of Federal Communications Bar Assn.	\$ Membership Fee*
	\$425 Non-Members ABA/NAB/FCBA	(\$45 Regular/\$5 Law Student)
	oll me as a member of the Forum on Communications Law	
l understar	nd I must be a member of the ABA and at least one Section	on.
I belong to th	e following Section(s):	
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NAME ON CARD (PRINTED)

THE 4TH ANNUAL ABA/FCBA PRIVACY & DATA SECURITY FOR COMMUNICATIONS AND MEDIA COMPANIES CLE – MARCH 17, 2009 – DVD Now Available

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

This seminar focuses on new state and federal laws, guidelines, developments, and risks that will impact privacy and data security for media and communications companies in 2009 and beyond under the new Obama Administration. It covered issues related to mobile marketing, behavioral advertising, social networking, the CAN-SPAM Act, fax advertising, security breach notification laws, state encryption and security practices and policies for protecting SSNs and credit card data, and much more. This year a new session discussed contracting with third parties (including advertisers and your own affiliates), requirements for due diligence for service providers, mergers and acquisitions, and an overview of insurance policies and minimum coverage requirements for privacy and data security liability. It also provides implementation specifics for the FTC's new Red Flag Rules that apply to any entity that defers payment of services or goods; the FTC's enforcement effective date is May 1, 2009. A wealth of written materials is also included on the DVD.

SESSION I - PRIVACY AND DATA SECURITY ISSUES RELATED TO OPERATIONS AND EMPLOYEES

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

SESSION III - DUE DILIGENCE, CONTRACT, AND INSURANCE REQUIREMENTS

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

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PLEASE SEND OR FAX THIS FORM TO:

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

2010 FCBA MEMBERSHIP DIRECTORY Order Form

Copies of the 2010 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).

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

Calendar		
March 4	CLE Seminar on Special Access – Historical Perspective and Current Issues presented by the Wireline Committee	
March 8	Engineering and Technical Practice Committee Brown Bag Lunch	
March 10	Transactional Committee Brown Bag Lunch	
March 11	5th Annual ABA/FCBA Privacy & Data Security Symposium for Communications and Media Companies presented by the FCBA Privacy and Data Security Committee and the ABA Communications Law Forum	
March 15	International Telecommunications Committee Luncheon on EU Electronic Communications Regulatory Developments	
March 15	Nominations for "Excellence in Government Service" Award Due	
March 16	Annual Seminar Committee Brown Bag Lunch	
March 16	CLE Seminar on Political Broadcasting Rule Update presented by the Mass Media Practice Committee	
March 18	FCBA Luncheon with Edward Lazarus	
March 22	CLE Seminar presented by CTIA – The Wireless Association® in association with the FCBA on The Evolving Wireless Ecosystem - What's Next in Wireless Law, Policy and Technology (Las Vegas)	
March 24	Privacy and Data Security Committee Breakfast with Cynthia O'Donoghue	
March 25	Young Lawyers Happy Hour	
March 27	National Moot Court Competition	
March 28	Volunteer at Martha's Table and McKenna's Wagon	
March 31	CLE Seminar on Media Regulation and the First Amendment in the 21st Century presented by the FCBA Mass Media Committee in association with the Freedom Forum and the ABA Forum on Communications Law	
April 6	Mass Media Committee Brown Bag Lunch	
April 6	CLE Seminar on Increasing Opportunities for Minority Entrepreneurs in Media and Telecommunications presented by the FCBA Diversity Committee in association with the Minority Media and Telecommunications Council ("MMTC")	
April 11	FCBA/ABA/NAB Representing Your Local Broadcaster Seminar	
April 16	Homeland Security and Emergency Communications Committee Brown Bag Lunch	
April 21	5th Annual Mentoring Luncheon	
April 30-May 2	FCBA Annual Seminar at The Homestead, Hot Springs, VA	
May 5	Engineering and Technical Practice and Wireless Committees Lunch	
May 10	Young Lawyers Committee Co-Chair Election & Brown Bag Lunch Planning Meeting	
June 7	14th Annual FCBA Foundation Golf Tournament at The Country Club at Woodmore (Mitchellville, MD)	

Online Directory Information

The online directory is accessible through your online account used to renew membership and register for events.

TO ACCESS THE ONLINE DIRECTORY:

Click the **Login** link at www.fcba.org. The primary email and password used to sign in MUST be the same as have been used for membership renewal and online registrations in the past. If the password is not known or has never been activated, click on the **Forgot your Password?** link and follow the instructions to generate a new password. One logged in, click on the **Individual Directory** link in the menu options. Search for your entry information. Note that this directory is different than the one we've used previously, and only displays your name, address, email, and primary phone and fax numbers. Our database can still house more info, such as alternate phone, fax and cell phone numbers, but it will not be reflected in the new directory.