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November 2007

Newsletter of the Federal Communications Bar Association

21st Annual Chairman's Dinner on December 5

The **21st Annual FCBA Chairman's Dinner** honoring FCC Chairman **Kevin J. Martin**, will be held on **Wednesday, December 5**, at the Washington Hilton & Towers, 1919 Connecticut Avenue, NW. Don't miss this premiere, annual FCBA event.



Chairman Martin

Individual tickets are priced at \$185.00 for members, \$275.00 for non-members, and \$100.00 for government/academic attorneys. Tables of 10 may be requested for \$1,850.00. In addition, the FCBA is offering an opportunity for our members to contribute to the FCBA Foundation as Sponsors of the Chairman's Dinner by purchasing tables of

ten at \$2,200.00 per table, \$350.00 of which will be donated to the Foundation. Last year, the Sponsors contributed more than \$36,000 to the Foundation. This money was used to fund scholarships for college-bound students from area high schools and for summer internships for law students. Sponsors will receive recognition in the *FCBA News*, the dinner program, and a slide

show at the event.

The Chairman's Dinner sells out each year, so be sure to make your reservations early. Reservations and payment must be received

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FCBA 18th Annual Charity Auction to Benefit Kid Power-DC

On **Thursday, November 15, 2007**, the Young Lawyers Committee and the FCBA Foundation will host the **18th Annual FCBA Charity Auction**. The auction will take place at the **Marriott at Metro Center, 775 12th Street, NW**, from **7:00 to 9:30 p.m.** Admission is free and the event is open to the public. This year's **celebrity auctioneers** are: **Kathleen Abernathy**, Akin Gump Strauss Hauer & Feld LLP; **Jane Mago**, National Association of Broadcasters; **Bryan Tramont**, Wilkinson Barker Knauer, LLP; and **Nancy Victory**, Wiley Rein LLP.

The auction will feature live and silent auctions, raffles, light hors d'oeuvres and a cash bar. The various prizes include fabulous vacation, sports, electronics, and

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FCBA Breakfast Featuring Derek Poarch on November 27

Derek K. Poarch, Chief of the Commission's Public Safety and Homeland Security Bureau, will join FCBA members for a breakfast on **Tuesday, November 27, 2007** at the Capital Hilton Hotel, 1001 16th Street, NW. Chief Poarch took over the Bureau just in time to land in the middle of some of the FCC's most challenging initiatives, including development



Derek K. Poarch

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This Month's Key Events

Transactional Practice Committee CLE Seminar

Date/Time: Wednesday, November 7, 6:00 – 8:15 p.m.
Location: Arnold & Porter LLP, 555 12th Street, NW
Topic: Drafting Enforceable Consumer Contracts
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18th Annual Charity Auction

Date/Time: Thursday, November 15, 7:00 – 9:30 p.m.
Location: Marriott at Metro Center, 775 12th Street, NW
 ▶ SEE PAGE 1

Engineering and Technical Practice Committee Tour of XM Satellite Radio

Date/Time: Friday, November 16, 1:00 – 2:00 p.m.
Location: XM Programming Center and Corporate Headquarters, 1500 Eckington Place, NE
 ▶ SEE PAGE 5

FCBA Breakfast Featuring Derek Poarch

Date/Time: Tuesday, November 27, 8:00 a.m.
Location: Capital Hilton, 1001 16th Street, NW
 ▶ SEE PAGE 1

Wireless Practice Committee Luncheon

Date/Time: Thursday, November 29, 2007, 12:15 p.m.
Location: Sidley Austin LLP, 1501 K Street, NW
Topic: The Economics of Wireless Net Neutrality and Open Access
Speakers: TBD
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Online Event Registration Now Available!

▶ SEE PAGE 3

PRESIDENT'S Message

DEAR MEMBERS:

I am delighted to announce that **online registration** is now available for FCBA events, effective November 1st. This has been a resource-intensive initiative, but thanks to the extra time and effort of the entire FCBA staff, we're finally there! I encourage you to try online registration for some of the many exciting events listed in this newsletter – I think you'll find it user-friendly and fast. Although the new capability has been a challenge to deploy, it will be considerably more efficient for the FCBA staff in the future, freeing up their time for other tasks. It will, in addition, automatically provide members with instant receipts, as well as reminders shortly before the events. We will be continuing to improve this process as we gain experience, so if you have suggestions to improve the capability please contact Kerry Loughney in the FCBA office.



In conjunction with this new online registration project, the Privacy and Data Security Committee has also completely revamped the FCBA's privacy and data security policies – thanks to **S. Jenell Trigg, Lisa Cordell, Ronnie London, Yaron Dori and Mark Schneider** for their work on this issue. The new policies are available for your review on the FCBA's website.

October was a very busy month, with a number of receptions both in Washington and in the Chapters, including the well-attended annual Fall Bureau and Office Chiefs' reception. The CLE schedule has been equally active, with four CLEs held so far and one in the near future, thanks to the cooperative work of the Mass Media, Engineering and Technical Practice, Professional Responsibility, Access to Records, Legislative, Transactional Practice and Continuing Legal Education Committees, as well as the Florida Chapter.

The highlight of the next month will be the **Charity Auction** on November 15th, with the proceeds benefiting Kid Power-DC, which provides services to underprivileged elementary school children in the District. The Young Lawyers Committee has been doing a great job collecting donations for this event, and I encourage you to join them for an evening that is both worthwhile and a lot of fun. We can all be proud of the charitable efforts of the FCBA's members and the FCBA Foundation. Your generosity – through the Charity Auction, scholarship fundraising, McKenna's Wagon and many other activities – makes a real difference in our community. The **Chairman's Dinner** honoring FCC Chairman Kevin J. Martin on December 5, 2007, at the Washington Hilton Hotel will be another great opportunity to support the FCBA Foundation's programs, and in particular its scholarship program. Reservation forms for the dinner are available on page 23 of this newsletter.

I look forward to seeing you all at the Charity Auction, as well as the many Committee and Chapter events scheduled in the upcoming weeks.

Diane J. Cornell



FEDERAL COMMUNICATIONS
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Password as of November 10, 2007: 542



Online Registration Now Available For FCBA Events

You can now register for FCBA events online! Once you have changed your password, online registration is quick and easy. After you have registered for an event, you will receive an email confirmation of your registration and a receipt for your payment.

Before you will be able to register for an event online, you will have to change your password. To change your password, type this web address into your web browser and enter: <https://www.netforumondemand.com/eWeb/DynamicPage.aspx?Site=fcba&WebCode=LodropginRequired>

The system has assigned you an initial password that you must change before you will be able to register for events online. Your initial password is Password1YOURFIRSTINITIAL-OURLASTINITIAL, and is case sensitive and contains no spaces. As an example, Louise Smith's initial password would be Password1LS. Your password is secure and protected. The FCBA staff will not have access to your password. If you forget your password, you will be able to change your

password when signing in.

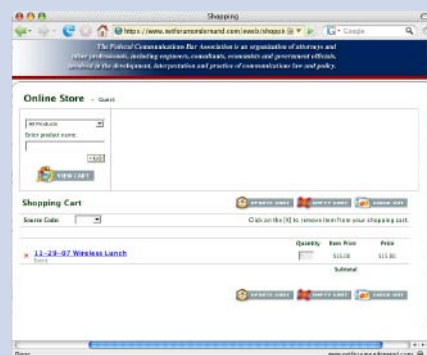
You must have an email address in your FCBA membership records to be able to utilize online registration. If you have not provided an email address to the FCBA, you will be able to register for events by completing the event registration form in the newsletter and mailing or faxing it to the office.

After signing in with your initial password, you will be taken to a page to change your password. The new password must be at least six (6) characters long. After changing your password, you will be taken to the event details page on the FCBA website where you can register for events by clicking on the **Upcoming Events** tab on the left hand side of the page. Click on the event and follow the steps



to register. You can also review any events you have previously registered for on the events details page by clicking on the **My Transactions** tab.

On the Upcoming Events page, click on the event you want to register for. That will take you to the Event Description page that shows details about the event. To register, click on the **REGISTER FOR THIS EVENT** button at the bottom of the page. On the FCBA Online Store page, verify your membership type in the drop down box at the top of this page and your registration information at the bottom of the page. To continue the registration process, click the **ADD TO CART** button. The next page will show you what you have registered for, or what is in your shopping cart. You have three options, to **UPDATE THE CART**, to **EMPTY THE CART**, or **CHECK OUT** at the bottom of the page.



To check out, click on the **CHECK OUT** button. Once you complete the check out process, indicating your type of payment, you are registered for the event. You will be emailed a confirmation of registration and a receipt. All credit card payments are processed through PayPal and done on a secure web page. The FCBA does not have access to your credit card information and does not store this information on the web site when you register online.

Once you have changed your password, when you click on the **register here** link in the description of any event on the web site, you will be taken to the event registration page. If you have any questions or problems, please contact the FCBA office, 202-293-4000, for assistance.

November 7th, 6:00 – 8:15 p.m. Drafting Enforceable Consumer Contracts

Presented by the Transactional Practice Committee

The Transactional Practice Committee will be hosting a CLE on **Wednesday, November 7, 2007** from **6:00 – 8:15 p.m.** at Arnold & Porter LLP, 555 Twelfth Street, NW. The topic will be “Drafting Enforceable Consumer Contracts.” The “boilerplate” terms that communications companies have in their consumer contracts are coming under increased scrutiny. Both regulators and the plaintiffs bar are questioning such common provisions as mandatory arbitration clauses, class action waivers, early termination fees, surcharges, automatic renewals, and modification procedures. Controversy also is stirring about child protection measures and use restrictions, and claim substantiation is a continuing source of litigation.

Congress is now actively looking at these issues. The Senate Commerce, Science and Transportation Committee held hearings on October 17, and two bills have been introduced — the Cell Phone Consumer Empowerment Act of 2007 (S.2033) by Sens. Rockefeller and Klobuchar, as well as a second bill (S.2171) by Sen. Pryor.

The aim of this seminar will be to familiarize practitioners with these “hot button” topics and offer strategies for drafting standardized contracts that will pass muster. To register, go to the FCBA website Calendar of Events or use the form on page 22.

SPEAKERS:

John M. Beahn – Skadden Arps Slate Meagher & Flom LLP
Neal S. Berinhout – AT&T Mobility
Randall Miller – Arnold & Porter LLP

James Reid – Office of Sen. Jay Rockefeller

Agenda

6:00 – 6:05 p.m.

WELCOME AND INTRODUCTION:

Scott Feira, Arnold & Porter LLP
Mark Del Bianco, Law Offices of Mark Del Bianco
Christine Crowe, Wilkinson Barker Knauer, LLP
Neil Dellar, FCC

6:05 – 7:05 p.m.

PART 1

Mandatory Arbitration
Class Action Waivers
Early Termination Fees
Surcharges
Automatic Renewals
Modification Procedures

7:05 – 7:15 p.m.

BREAK

7:15 – 8:15 p.m.

PART 2

Child Protection
Use Restrictions
Claim Substantiation

December 13th, 6:00 – 8:15 p.m. Enforcement Of U.S. Patent Laws: International Activities, Standards For Patentability And Willfulness

Presented by the CLE Committee

On Thursday, **December 13, 2007** from **6:00 p.m. – 8:15 p.m.** the CLE Committee will present a CLE seminar on the enforcement of U.S. patent law to international activities, including a discussion of the intersection of

communications law and policy and patent law. The program will start with a “Patent 101” tailored to the communications lawyer, covering general issues of patentability as they relate to communications technology. For example: How do you get a patent? What standards are used in granting patents and why are these standards important? How are patents enforced? The program will then discuss developments in the law including issues related to the international application of U.S. patent law from both *NTP v. RIM* case (known as the “Blackberry case”) and *Microsoft v. AT&T*. The program will also include a discussion of recent Supreme Court and Federal Circuit cases that may have significant impact on patent practice going forward, such as the much publicized *Medimmune*, *KSR v. Teleflex*, and *In re Seagate* cases.

The program will be held at Wiley Rein LLP, 1776 K Street NW, Washington, DC. Moderated by CLE Committee co-chair **Joshua Turner**, the panel will consist of **W. Karl Renner**, Fish & Richardson P.C. and **Kevin Anderson**, Wiley Rein LLP. To register, go to the FCBA website Calendar of Events or use the form on page 22 to register.

Agenda

6:00 – 6:05 p.m.

WELCOME AND OPENING REMARKS

6:05 – 6:45 p.m.

INTRODUCTION TO PATENT PRACTICE FOR THE COMMUNICATIONS LAWYER

10 Minute Break

6:55 – 8:05 p.m.

ONGOING DEVELOPMENTS IN PATENT LAWS

8:05 – 8:15 p.m.

Q&A SESSION

COMMITTEE AND CHAPTER *Events*

Engineering and Technical Practice Committee

Event: Tour of XM Satellite Radio

Date/Time: Friday, November 16, 1:00 – 2:00 p.m.

Location: XM Programming Center and Corporate Headquarters, 1500 Eckington Place, NE (near the intersection of New York Ave. and Florida Ave., NE). Nearby street parking is often available, and the facilities are 2 blocks from the New York Ave Metro stop on the Redline.

To register: Use the form on page 22.

**There is a 20 person attendance limit; registrations will be accepted on a first-come, first-served basis.*

Intellectual Property Practice Committee

Event: Brown Bag Lunch

Date/Time: Monday, November 19, 2007, 12:15 – 1:30 p.m.

Location: Dow Lohnes PLLC, 1200 New Hampshire Ave, NW (Large Conference Room)

Topic: Copyright Issues at the FCC and the FTC

This brown bag will cover copyright matters brought to the attention of federal agencies other than the Copyright Office. For example, IP piracy matters have been raised at the FCC by NBC in the broadband industry practices docket. Public performance issues have been raised by the RIAA in the FCC's XM-Sirius merger proceeding. And, of course, there have been extensive discussions of copyright and audio content protection in the FCC's Digital Audio Broadcasting proceeding. At the FTC, the Computer and Communications Industry Association ("CCIA") has filed a complaint against several copyright owners regarding copyright warnings announced on television and found in publications. The CCIA alleges that these warnings violate the letter and spirit of the FTC Act's prohibition against unfair or deceptive acts or practices in or affecting commerce. This promises to be an intriguing discussion.

Speakers: Matt Schruers, CCIA, Michael Petricone, CEA, Seth Greenstein, Constantine Cannon, Bruce Byrd, AT&T, Gigi Sohn, Public Knowledge, Fritz Attaway, MPAA, and Steve Marks, RIAA

To RSVP: FCBA website-Calendar of Events

International Committee

Event: Brown Bag Lunch

Date/Time: Thursday, December 6, 2007, 12:30 – 2:00 p.m.

Location: Verizon Communications Inc., 1300 I Street, NW, Suite 400 West, 5th Floor Large Conference Room (East and West)

Topic: Outcome of the 2007 ITU World Radio Conference (WRC). The World Radio Conference 2007 will take place October 22 – November 16 in Geneva, Switzerland. The WRC will review, and, if necessary, revise the radio regulations, the international treaty governing the use of the radio-frequency spectrum and the geostationary-satellite and non-geostationary-satellite orbits. Ambassador Russell and Mr. Beard will provide an overview of the results of the WRC and the associated Radio Assembly.

Speakers: Ambassador Richard Russell, US State Department and White House Office of Science and Technology Policy and Richard Beard, US State Department

For more information: Contact Fiona Alexander, falexander@ntia.doc.gov.

To RSVP: FCBA website-Calendar of Events

Mass Media Practice Committee

Event: Brown Bag Lunch

Date/Time: Tuesday, November 13, 12:00 – 1:30 p.m.

Location: National Association of Broadcasters, 1771 N Street, NW

Topic: Digital Radio

Speakers: Join Albert D. Shuldiner, Senior Vice President and General Counsel iBiquity; David H. Layer, Director, Advanced Engineering, National Association of Broadcasters; and Caryn Mathes, General Manager, WAMU(FM) to discuss Digital Radio broadcasting.

To RSVP: FCBA website-Calendar of Events

Wireless Practice Committee

Event: Wireless Committee Lunch

Date/Time: Thursday, November 29, 2007, 12:15 p.m.

Location: Sidley Austin LLP, 1501 K Street N.W.

Topic: The Economics of Wireless Net Neutrality and Open Access

Speakers: TBD

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

Young Lawyers Committee

Event: Annual Charity Auction

Date/Time: Thursday, November 15, 7 p.m.-9:30 p.m.

Location: Marriott at Metro Center, 775 12th Street, NW

More Info: Proceeds from this year's FCBA Charity Auction will benefit Kid Power-DC, www.kidpowerdc.org, which provides extracurricular educational and civic instruction to underprivileged elementary school students in DC. As in previous years, there will be a silent auction, a live auction, and a raffle, with prizes donated from local businesses and members of the communications bar. Admission is free and the event is open to the public—bring your friends and family!

Contact: Chris Fedeli (chrisfedeli@dwt.com) or Tarah Grant (tsgrant@hhlaw.com).

Pacific Northwest Chapter

Event: Panel session and lunch hosted by Microsoft

Co-Sponsors: Davis Wright Tremaine, LLP and Miller Nash, LLP

Date/Time: Friday, November 16, 11:30 a.m. – 1:30 p.m.

Location: Microsoft Redmond Campus, Building 43 (Adams Room), 15584 NE 31st Street, Redmond, WA 98052

Topic: Changing Channels – a discussion of the business and regulatory issues facing next-generation video services

More Info: Come hear speakers from companies — including Comcast, Microsoft, Verizon Wireless, and WhitneyandWyatt.com — talk about their video service technologies and services. The event will include product demos along with a discussion of the business and regulatory challenges facing these services. Box lunch to be provided. Cost will be \$10 per person. Registrations made after November 12th will be accepted subject to capacity.

Contact: For registration, please contact Karen Solomon at karenso@microsoft.com or 425-706-1700. For questions about the event, please contact Kevin Minsky, kminsky@microsoft.com or 425-704-8437.

Inviting Members of Congress and Congressional Staff to the Chairman's Dinner

Pursuant to new ethics policies governing Members of Congress and Congressional Staff, invitations to attend the Chairman's Dinner must be issued by the FCBA. Please contact FCBA Executive Director Stan Zenor, if you wish to invite a Member of Congress or a Congressional Staff member to the Chairman's Dinner to have an invitation issued.

Charity Auction Committee

It was Potbelly sandwiches and playground games when FCBA Charity Auction Committee Members and Subcommittee Co-chairs met up with the children of Kid Power-DC on Saturday, October 6, 2007 on the National Mall. **Christopher Fedeli, Tarah Grant, Megan Anne Stull, Adam Kirschenbaum, Micah Caldwell, Stephanie Podey, and Ron Whitworth** picnicked with and demonstrated their athletic prowess to this year's Charity Auction beneficiary. The results of the game were unclear, but it was certain that everyone was a winner! Kid Power-DC is a wonderful local charity that provides extra curricular



L to R: Mentoring panelists Margaret Cummisky, Erwin Krasnow, Barbara Kreisman, and Curtis T. White

educational and civic instruction to underprivileged elementary school students in the District, involving them in a range of activities and events aimed at fostering children's intellectual and social development. Through their outstanding programming, Kid Power-DC keeps underserved children on the path to becoming responsible citizens who will make a positive contribution to their community. We hope that you can help support this impressive organization at the Charity Auction on November 15! No athletic skills — just a willingness to place some bids — required.

Diversity and Young Lawyers Committees

MENTORING PANEL A SUCCESS!

Attorneys and law students met on October 11 at the offices of Wiley Rein LLP for the Diversity and Young Lawyers Committees' first co-sponsored event of the year: a panel discussion on mentoring. The panel featured Margaret Cummisky of the Senate Commerce Committee, Erwin Krasnow of Garvey Schubert Barer, Barbara Kreisman of the Federal Communications Commission, and Curtis White of the Law Offices of Curtis T. White, P.C. The issues discussed by the panelists included: the benefits of mentoring, how one goes about finding a mentor, frequency and duration of the mentor-mentee relationship, diversity issues, the need for confidentiality and candor in the mentor-mentee relationship, how to give and receive "tough-love" feedback in a positive and constructive way, and how to maintain and nurture the mentor-mentee relationship, among others. The panelists also shared their own mentoring experiences throughout their careers.

The event was very well attended and included junior members of the bar from both government and the private sector as well as law students from Georgetown University, George Washington University and American University. Both Committees are very appreciative of the panelists' time and commitment to educate the junior members of the FCBA on the important subject of mentoring.

For additional information about the Diversity Committee, please contact **Edgar Class** at eclass@wileyrein.com, and for additional information about the Young Lawyers Committee, please contact **Christopher Fedeli** at chrisfedeli@dwt.com.

Engineering and Technical Practice Committee

TOUR OF XM SATELLITE RADIO ON NOVEMBER 16

The Engineering and Technical Practice Committee has arranged for a tour of the XM Satellite Radio Programming Center and Headquarters located in Washington, D.C. on Friday, November 16, from 1:00 p.m. – 2:00 p.m. During the tour, you will have an opportunity to see the XM Satellite Radio operations center, radio studios, and satellite facilities.

There is no registration fee, but there is a **20 person limit** for the tour. Registrations will be accepted on a first-come, first-served basis. The XM Programming Center and Corporate Headquarters are located at 1500 Eckington Place, NE (near the intersection of New York Ave. and Florida Ave., NE). Nearby street parking is often available, and the facilities are 2 blocks from the New York Ave Metro stop on the Redline. To register, fax the form on page 22 to 202-293-4317.

Florida Chapter

The Florida Chapter presented its 2007 Florida Telecom Legislative Update CLE program on September 27, 2007, in Tallahassee at the Brogan Museum. Over 30 Florida FCBA members, communications professionals, and local and state government

representatives attended and enjoyed a lively discussion of Florida's new statewide cable franchise law, as well as various hot topics at the FCC. Speakers included representatives from the Florida Cable Telecom Association, the Florida Department of State, the Florida Legislature, the Florida Office of the Attorney General, Florida State University, Manatee County, University of Florida Public Utility Research Center, Verizon, Abel Band, Chartered, Akerman Senterfitt, Holland & Knight, and White and Case.

The Florida Chapter is currently planning two events for the December 2007-January 2008 time frame. The first event will likely be hosted by Abel Band in Sarasota on the present and future of the radio industry, and the second will be hosted by White & Case in Miami on the law of the Internet. For more information about the Florida Chapter and its upcoming events or to get more involved with Chapter events, contact its co-chairs **Will Cox** at wcox@abelband.com, **Beth Keating** at beth.keating@akerman.com, **David Konuch** at dkonuch@miami.whitecase.com, or **Pat Meehan** at pmeehan@hklaw.com.



L to R: Chris McDonald, Comcast with Co-Chair Beth Keating, Akerman Senterfitt law firm.



L to R: Steve Denman, Abel Band law firm, Co-Chair and moderator David Konuch, White and Case law firm, and speaker Brad Ashwell, Public Interest Research Group.

New England Chapter

The New England Chapter has established a steering committee to collaborate and assist with planning of on-going chapter programs. The steering committee invitees included: Chapter Co-Chairs Doug Denny-Brown, Stacey Parker and Michele Thomas, as well as, Paul Afonso, Jed Nosal, Sandy Callahan, Karlen Reed, Rob Munnelly, Greg Keenan, David Bogan, Andy Klein, Professor T. Barton Carter, Cameron Kerry, Michelle Consalvo, Cynthia Larose, Amy Rabinowitz, Commissioner Elia Germani, Commissioner Anthony Palmerino and Commissioner Kurt Adams. The steering committee met via conference call on October 11th and developed initial plans for a December 2007 program in Boston the week of December 11th which will be a two part program: Part I - CPNI/Privacy guest speaker; and Part II - Status of Telecommunications Issues in New England and nationally. A networking event will follow after the December program. In addition, the steering committee started planning for 2008 programs and has discussed programs including a joint event at the Winter NARUC meeting in Washington, DC in February with the State & Local FCBA Chapter, a program on the Fairpoint regulatory proceedings in New England, an overview of broadband deployment programs in New England, joint program with Boston University, a post election overview in November, and others.

Rocky Mountain Chapter

November 28, 2007 "Public Safety, New Technologies, and the Future of Emergency Response"

Co-Sponsored with and at the University of Colorado-Denver's School of Public Affairs

Wednesday, November 28, 2007, from 3:00 to 7:30 p.m. at the University of CO – Denver's School of Public Affairs. The communications technology used by public safety constitutes a critical element of our homeland security infrastructure. From the point at which a citizen calls 911, much of the ability of first responders to manage an emergency situation rests on the effectiveness of their information and communications technology. Whether it involves an awareness of the location of the 911 caller, the ability of emergency service provider to communicate during times of crisis, or the ability of different emergency service agencies to communicate with one another, technological failings can lead to lost lives, lost opportunities, and compromised effectiveness for public safety. Despite the well publicized failings during times of crisis (e.g., Columbine, 9/11, and Hurricane Katrina), both state and federal leadership has often been either lacking or ineffectual in this area.

This conference will take a look forward at the future of emergency response,

evaluating how new technologies can be adopted to enable first responders to operate more effectively. A starting point for the discussion will be a report developed by Silicon Flatirons last spring as a result of a grant from CTIA-The Wireless Association and a Roundtable that brought together leaders from industry, academia, and the public safety community. Similarly, the conference will evaluate the state of the E-911 system, using as a starting point the analysis offered by Dale Hatfield in a widely praised report commissioned by the FCC. In addition to exploring the array of opportunities and challenges related to public safety communications (as to both interoperability and the development of next generation networks) and the upgrade of the E-911 system, we will also analyze the difficult intergovernmental relations issues that must be addressed to move forward on either front.

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

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.

COMMITTEE AND CHAPTER *News*

Schedule of Events

3:00 – 3:10

WELCOME & OVERVIEW

Kathleen Beatty, Dean, University of Colorado-Denver School of Public Affairs

Phil Weiser, Executive Director, Silicon Flatirons Program

3:10 – 3:40

TUTORIAL: PUBLIC SAFETY'S USE OF COMMUNICATION TECHNOLOGY

Dale Hatfield, Adjunct Professor, University of Colorado; former Chief Engineer, FCC

3:40 – 4:40

THE OPPORTUNITIES FOR INTEROPERABILITY AND A NEXT GENERATION NETWORK

Chris Guttman-McGabe, Vice President, CTIA - The Wireless Association

Tom Guthrie, President & Chief Executive Officer, Twisted Pair Communications

William Pessemier, Executive Communications Systems Advisor for the International Association of Fire Chiefs former Incident Commander, Columbine High School, Littleton, Colorado Fire Department

4:40 – 4:50

BREAK

4:50 – 5:50

UPGRADING OUR E-911 INFRASTRUCTURE

Stephen Meer, CTO, Intrado

Ray Gifford, Partner, Kamlet, Shepherd & Reichert; former Chairman, Colorado Public Utilities Commission

Brad Bernthal, Clinical Professor, University of Colorado School of Law

5:50 – 6:50

OVERCOMING THE CULTURE OF SILOS AND FACILITATING INTERGOVERNMENTAL COOPERATION

Paul Teske, Professor of Public Affairs, University of Colorado

Meredith A Baker, Deputy Assistant Secretary, NTIA, Department of Commerce

Mike Locatis, Chief Information Officer, State of Colorado

Charles Werner, Chief, NTIA, Charlottesville Fire Department

6:50 – 7:30

RECEPTION

Young Lawyers Committee Fundraiser: FCBA Shirts for Sale!

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

Norman Goldstein Honored by the FCBA

The Executive Committee has adopted a resolution commending Norman Goldstein who retired this year after 35 years with the FCC.

Goldstein was an attorney with the Hearing Division of what is now the Media Bureau. There he represented the government in passing on the qualifications of scores of applicants for broadcast licenses. More recently he was a senior attorney in the Enforcement Bureau.

The resolution expresses the FCBA's appreciation for his many years of exemplary service to the FCC and the public.

COMMITTEE AND CHAPTERS *in the Spotlight*

Rocky Mountain Chapter

The Rocky Mountain Chapter, which is co-chaired by **Lori Kalani** (Echostar), **Phil Weiser** (University of Colorado) and **Adam Peters** (Kamlet Shepherd & Reichert), has co-sponsored two events hosted by the Silicon Flatirons Telecommunications Program this fall. The first event, "Taking Stock of the Antitrust Modernization Commission Report," was held on September 5th at the University of Colorado School of Law. The conference evaluated the judgments of the Antitrust Modernization Commission report, examining its basic conclusion that there are no fundamental flaws in modern antitrust law and practice as well as its various suggestions for reform. **Gerlad Masoudi**, Deputy Assistant Attorney General for the Antitrust Division of the U.S. Department of Justice, was the keynote speaker.

The second event, "The Future of User Generated Content," was held at The Cable Center in Denver on October 10th. The conference analyzed the growing trends related to user generated content, beginning with the question of what new technologies are emerging and how they will transform traditional media and usage patterns. Secondly, it explored what business models will emerge—both for new upstarts and established media companies—to turn this phenomenon into profitable ventures. Finally, it examined the legal issues that arise in connection with this phenomenon, ranging from intellectual property issues to questions of consumer privacy to calls for regulation to protect children and guard against defamation in this emerging medium.

The next Silicon Flatirons/FCBA co-sponsored event, "Public Safety, New Technologies, and the Future of Emergency Response," will be held at

the CU Denver School of Public Affairs on Wednesday, November 28th. **John Kneuer**, NTIA Administrator and

Assistant Secretary for the Department of Commerce, will be the keynote speaker.

Save the Date of Thursday, November 15, 2007 for the 18th Annual FCBA Charity Auction

Proceeds to Benefit Kid Power-DC

LOCATION:

Marriott at Metro Center
775 12th Street, N.W., Washington, D.C.

For questions, contact **Chris Fedeli** (chrisfedeli@dwt.com) or **Tarah Grant** (tsgrant@hogan.com).

To sell or purchase raffle tickets, please contact **Paige Fronabarger** (pfronabarger@wbklaw.com) or **Ron Whitworth** (whitworth@fhhlaw.com) (raffle grand prize: a 46" Sony Bravia™ XBR® LCD flat panel HDTV, compliments of Sony Electronics Inc.).

To volunteer on the night of the auction, please send an email to FCBA AuctionVolunteers@gmail.com.

Kid Power-DC is a local non-profit organization that is dedicated to providing in-school and after-school enrichment activities for children living in the city's underserved communities. Its academic, artistic, and civic engagement programs focus on fostering intellectual and social development and aim to keep children on the path to becoming responsible citizens who will make a positive contribution to their communities. Kid Power-DC's programs include the Citizenship Project, in which students and their mentors explore local history and civic themes through literacy-building and service-learning activities; the Kids Corps, which enables students to develop and manage social entrepreneurship projects; and the Creative Communities program, where students voice their views on community issues through a variety of visual and performing art productions.

The Auction Committee would like to thank the following sponsors of this year's event!

CTIA – The Wireless Association®
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Fleischman and Harding LLP
Google Inc.
Hogan & Hartson LLP
Lockheed Martin Corporation

Morrison & Foerster LLP
Sidley Austin LLP
Trimble Navigation Ltd.
Wiley Rein LLP
Willkie Farr & Gallagher LLP

FCBA BREAKFAST

CONTINUED FROM PAGE 1

of a nationwide public safety broadband network in the 700 MHz band, the 800 MHz rebanding process, upgrades and deployment of E911 capabilities, and expansion of emergency alerts. His experience as a former Public Safety official provides him with a unique perspective on these issues, and on the FCC's activities in the emergency management, homeland security, and disaster preparedness areas in general.

Before becoming Chief of the Bureau in April 2007, Chief Poarch was Director of Public Safety and Chief of Police at the University of North Carolina at Chapel Hill. He commanded a department of approximately 300 employees providing police, security, and emergency communications services to a university community of 45,000 per-

sons that has more than a million visitors each year.

Chief Poarch is a 1981 graduate of Gardner-Webb University with a Bachelor's Degree in Social Science with a concentration in Criminal Justice, and a 1988 graduate of the University of South Carolina with a Master's Degree in Criminal Justice.

The breakfast will begin at 8:00 a.m. with remarks beginning at 8:30 a.m., followed by questions and answers. Registration begins at 7:30 a.m. To register online, go to the FCBA website or mail or fax the form on page _____. Please join us in welcoming Chief Poarch on November 27th!

CHARITY AUCTION

CONTINUED FROM PAGE 1

restaurant packages. The **raffle's grand prize** will be a spectacular **46" Sony Bravia™ XBR® LCD flat panel HDTV**, compliments of *Sony Electronics Inc.*

Last year, the Charity Auction raised over \$86,000 for Fair Chance. This year's auction proceeds will benefit Kid Power-DC, a local organization dedicated to providing in-school and after-school enrichment activities for children living in the city's underserved communities. Its academic, artistic, and civic engagement programs focus on fostering intellectual and social development and aim to keep children on the path to becoming responsible citizens who will make a positive contribution to their communities.

Please join us on **Thursday, November 15, 2007**, for the 18th annual charity auction, which promises to be a great time and to raise money for a great cause!

THE AUCTION COMMITTEE WOULD LIKE TO THANK THE FOLLOWING AUCTION SPONSORS:

CTIA – The Wireless Association®
Davis Wright Tremain LLP
Fleischman and Harding LLP
Google Inc.
Hogan & Hartson LLP
Lockheed Martin Corporation
Morrison & Foerster LLP
Sidley Austin LLP
Trimble Navigation Ltd.
Wiley Rein LLP
Willkie Farr & Gallagher LLP

CHAIRMAN'S DINNER

CONTINUED FROM PAGE 1

no later than **Friday, November 16, 2007**. Seating is reserved and tickets to the dinner will be mailed the week of November 28th. **Please use the registration form on page 23** to order tickets to the dinner.

Chairman Martin was nominated by President George W. Bush to a Republican seat on the Commission, and was sworn in on July 3, 2001. He was designated chairman by President Bush on March 18, 2005.

Before joining the FCC, Martin was a Special Assistant to the President for Economic Policy. He served on the Bush-Cheney Transition Team and was Deputy General Counsel for the Bush campaign. Prior to joining the campaign, Martin was an advisor to FCC Commissioner Harold Furchtgott-Roth. He has also served in the Office of the Independent Counsel and worked as an associate at the Washington, DC law firm of Wiley, Rein & Fielding. Before joining Wiley, Rein & Fielding, Martin was a judicial clerk for U.S. District Court Judge William M. Hoeveler, Miami, FL.

Martin received a B.A. from the University of North Carolina at Chapel Hill, a Masters in Public Policy from Duke University, and a J.D. from Harvard Law School. He is a member of the District of Columbia Bar and the Federal Communications Bar Association.

FCBA Charity Auction: Volunteers Needed!

The Young Lawyers Committee still needs many new volunteers to help make this year's auction the most successful one yet! This year's auction proceeds will benefit Kid Power-DC, which provides educational and civic instruction to underserved elementary school

students in the District. Volunteering for the auction is a great way to meet other FCBA members while supporting Kid Power-DC, and anyone can help out, regardless of experience! To volunteer, send an email to FCBAuctionVolunteers@gmail.com. The auction will take place at the Marriott at Metro Center, 775 12th Street, NW, from 7:00 to 9:30 p.m. Admission is free and the event is open to the public.

December 5-6, 2007: 25th Annual Telecommunications Conference

On December 5-6, at The Washington Hilton Hotel, the FCBA and the Practising Law Institute will co-sponsor their 25th annual Institute on "Telecommunications Policy and Regulation." The Conference will be highlighted by the appearance of three FCC members: Chairman **Kevin Martin**, Commissioner **Jonathan Adelstein**, and Commissioner **Robert McDowell**. Additionally, Assistant **Thomas Barnett**, Attorney General, Antitrust Division, Department of Justice, will be the featured luncheon speaker on December 5 and **John Kneuer**, Assistant Secretary of Commerce for Communications and Information (NTIA), will open the Conference's second day.

Other highlights of the program include three substantive panels on developments in, respectively, wireline telephony, wireless telecommunications, and the communications future. In addition, a Congressional staff panel – featuring **James Assey** (D) and **Christine Kurth** (R) of the Senate Commerce Committee, and **Amy Levine** (D) and **Neil Fried** (R) of the House Commerce Committee, will discuss legislative matters. The Institute also will feature tutorials by key FCC Bureau Chiefs: **Dana Shaffer**, Wireline Competition; **Fred Campbell**, Wireless Telecommunications, and **Derek Poarch**, Homeland Security. Moreover, **Vinton Cerf** of Google will provide a tutorial on Internet development.

Once again, the seminar's agenda will include a debate – this year, on "Is the U.S. Competitive on Broadband?", with **Christopher Murray** of Consumers Union, facing off against **Scott Wallsten** of The Progress and Freedom Foundation, and with **Mark Schneider**, FCBA President-Elect, as moderator.

FCBA President **Diane Cornell** will open the program, and **Kathleen Abernathy**, **Clark Wadlow** and **Dick Wiley**, of the FCBA's Conferences Committee, will serve as Institute co-chairs. In addition, a number of Association members will moderate various program segments.

A registration form for the 1½ day seminar, which is always very well attended, is on page _____. As noted, a registration fee discount is available to Association members.

Practising Law Institute in cooperation with the Federal Communications Bar Association present: the 24th Annual Institute on Telecommunications Policy and Regulation

*Wednesday,
December 5, 2007*

9:00 a.m.

WELCOME

Diane J. Cornell, President, Federal Communications Bar Association
Howard G. Maurer, Program Attorney, Practising Law Institute

9:15 a.m.

FCC KEYNOTE: COMMISSIONER ROBERT MCDOWELL

9:45 a.m.

CONGRESSIONAL STAFF PANEL

Panelists:

James M. Assey, Senate Commerce Committee (Majority)
Neil R. Fried, Chief Counsel for Telecommunications and the Internet Subcommittee, House Committee on Energy and Commerce (Minority)
Christine Kurth, Republican Staff Director & General Counsel, Senate Committee on Commerce, Science & Transportation (Minority)
Amy L. Levine, Chief Counsel for Subcommittee on Telecommunications and the Internet, House Committee on Energy and Commerce (Majority)

FCBA Co-Moderators:

William R. Nordwind, Partner, Venable LLP

R. Clark Wadlow, Partner, Sidley Austin LLP

10:45 a.m.

BREAK

11:00 a.m.

WIRELINE TUTORIAL

Dana Schaffer, Chief, Wireline Competition Bureau, Federal Communications Commission

11:30 a.m.

PANEL #1: DEVELOPMENTS IN WIRELINE TELEPHONY

Panelists:

James W. Cicconi, Senior Executive Vice President, External & Legislative Affairs, AT&T

Scott M. Deutchman, Legal Advisor, Competition and Universal Service, Office of FCC Commissioner Michael Copps

Eugene B. Johnson, Chairman and Chief Executive Officer, Fairpoint Communications, Inc.

Anne Boyle, Commissioner, Nebraska Public Service Commission

Gigi B. Sohn, President and Co-Founder, Public Knowledge

Joseph W. Waz, Jr., Vice President, External Affairs & Public Policy Counsel, Comcast Corporation

FCBA Co-Moderators:

John T. Nakahata, Partner, Harris, Wiltshire & Grannis LLP

Henry M. Rivera, Partner, Wiley Rein LLP

12:30 p.m.

LUNCHEON:

Thomas O. Barnett, Assistant Attorney General, Antitrust Division, United States Department of Justice

2:15 p.m.

WIRELESS TUTORIAL

Fred Campbell, Chief, Wireless Bureau, Federal Communications Commission

SPECIAL Events

2:45 p.m.

PANEL #2: DEVELOPMENTS IN WIRELESS TELECOMMUNICATIONS

Panelists:

Leo Fitzsimon, Vice President, Government & Industry Affairs, NOKIA

Robert S. Foosaner, Senior Vice President Government Affairs & Chief Regulatory Officer, Sprint-Nextel Corporation

Aaron N. Goldberger, Legal Advisor, Office of FCC Chairman Kevin Martin
Christopher E. Guttman-McCabe, Vice President of Regulatory, Affairs, CTIA-The Wireless Association

Tom Sughrue, Vice President, Government Affairs, T-Mobile USA, Inc.
Jennifer A. Warren, Senior Director of Telecommunications, Trade & Regulatory Affairs, Lockheed Martin Corporation

FCBA Co-Moderators:

Kathleen Q. Abernathy, Partner, Akin Gump Strauss Hauer & Feld LLP

Lawrence J. Movshin, Partner, Wilkinson Barker Knauer, LLP

3:45 p.m.

BREAK

4:00 p.m.

TUTORIAL ON HOMELAND SECURITY

Derek Poarch, Chief, Public Safety & Homeland Security Bureau, Federal Communications Commission

4:30 p.m.

CLOSING REMARKS

Jonathan S. Adelstein, Commissioner, Federal Communications Commission

Thursday, December 6, 2007

9:00 a.m.

OPENING REMARKS

John M. R. Kneuer, Deputy Assistant Secretary of Commerce for Communications and Information (NTIA)

9:30 a.m.

TUTORIAL ON INTERNET DEVELOPMENT

Vinton G. Cerf, Vice President & Chief Internet Evangelist, Google

10:00 a.m.

DEBATE: "IS THE U.S. COMPETITIVE IN BROADBAND?"

Christopher L. Murray, Senior Counsel, Consumers Union

vs.

Scott N. Wallsten, Senior Fellow, Director of Communications Policy Studies, The Progress & Freedom Foundation

Moderated by Mark D. Schneider, Partner, Sidley Austin LLP, FCBA President-Elect

10:45 a.m.

BREAK

11:00 a.m.

PANEL #3: TELECOMMUNICATIONS FUTURE

Panelists:

Anoop Gupta, Corporate Vice President, Education Products & Solutions, Technology Policy and Strategy, Microsoft

William E. Kennard, Managing Director, Global Telecommunications & Media Group, The Carlyle Group

Julius P. Knapp, Chief, Office of Engineering & Technology, Federal Communications Commission

Anna-Marie Kovacs, President, Regulatory Source Associates

Blair Levin, Managing Director, Stifel Nicolaus & Company, Inc.

Robert M. Pepper, Senior Managing Director, Global Advanced Technology Policy, CISCO Systems, Inc.

FCBA Co-Moderators:

Cheryl A. Tritt, Partner, Morrison & Foerster LLP

Richard E. Wiley, Managing Partner, Wiley Rein LLP

12:00 p.m.

CONVERSATION WITH FEDERAL COMMUNICATIONS COMMISSION CHAIRMAN KEVIN J. MARTIN

Moderator: Richard E. Wiley, Managing Partner, Wiley Rein LLP

12:30 p.m.

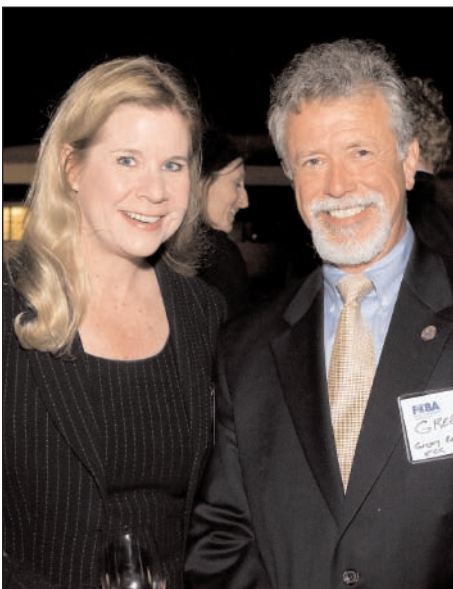
ADJOURNMENT

International Telecommunications Practice Committee Reception on October 10



On **Wednesday, October 10**, the International Telecommunications Practice Committee held a panel discussion with Telecom Attachés from **Ireland, Japan, Sweden**, and other Foreign Embassies. The program held at the House of Sweden included opening remarks by The Honorable **Michael C. Copps**, Commissioner, Federal Communications Commission, closing remarks by Ambassador **David A. Gross**, U.S. Department of State, U.S. Coordinator for International Communications and Information Policy, and a networking reception on the rooftop overlooking the Georgetown Harbor. Special thanks to Ericsson for their sponsorship of this event!

INT'L TELECOMMUNICATIONS *Committee Reception*



INT'L TELECOMMUNICATIONS *Committee Reception*



FALL Reception

Successful FCBA Fall Reception with the FCC and NTIA Bureau and Office Chiefs held on October 25

Approximately 300 FCBA members attended the fall reception on Thursday, October 25, 2007 at the Capital Hilton Hotel where they had the opportunity to meet and greet FCC and NTIA Bureau and Office Chiefs, as well as their senior staff. An enjoyable evening was had by all.



FALL Reception



FALL Reception



Special thanks to our generous Fall Reception Sponsors

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Ygomi

Combined Federal Campaign (CFC)

The FCBA Foundation is proud to participate in this year's Combined Federal Campaign for the National Capitol Area. Federal employees in the nation's capitol 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.cfcnc.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 22 college scholarships to D.C. public high school students totaling over \$150,000
- Awarding stipends to five law school students for unpaid government summer internships
- 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 2006 Charity Auction for the Fair Chance which raised over \$86,000

Volunteer Outreach for Martha's Table & McKenna's Wagon – November 25th

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! As we approach the holiday season, the need for volunteers to feed the homeless becomes even more pressing. This is especially true this month as many FCBA members will be traveling on November 25th - the Sunday after Thanksgiving.

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

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

McKenna's Wagon 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 **November 25th** or for a future date, please contact **Marlo Go** at MGo@ctia.org or **Tom VanWazer** at tvanwazer@sidley.com.

12th Annual FCBA Golf Tournament

Planning is now underway for the 12th Annual FCBA Robert E. Lee Charity Golf Tournament to benefit the FCBA Foundation. Any members interested in joining the Golf Committee to help pull together next June's event should contact Committee Chair **Glenn Reynolds** at greynolds@ustelecom.org.

TO RESPOND TO JOB BANK LISTINGS

If the employer is listed, send the information requested directly to the employer. If you are responding to a **BLIND BOX** listing, send **ONE COPY** of the information requested to Kerry Loughney, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, or **EMAIL** it to **kerry@fcba.org**. 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

11.07.1

Intern - Clearwire is looking for a part-time paid intern for its External/Regulatory Affairs group in its Washington, DC-based office. We will be flexible to accommodate classroom and other academic requirements and can assist in your ability to obtain academic credit if desirable. Our intern will work with the regulatory attorneys and business professionals in our small but dynamic office facilitating Clearwire's provision of wireless broadband services. With our guidance, the intern will assist in research and filing; regulatory and spectrum support and analysis, and general office administration to support the other members of the DC office. No experience in telecommunications or wireless broadband is necessary, although an interest in such areas would be helpful. The only requirements are Microsoft Office experience; the ability to communicate effectively; strong organizational skill; attention to detail and follow-up; strong interpersonal skills and an ability to assimilate into our small office environment. Please send resume to **terri.natoli@clearwire.com**.

11.07.2

Manager, Regulatory Affairs – Regulatory Intelligence (70%) -Conduct research and draft reports/memos/benchmarks on general or specific regulatory and policy issues regarding the North American telecommunications market. - Interact with the FCC, legislative staff, external companies (both small and large) and industry groups. - Identify important news and report back to the relevant persons within FT along with a comprehensive analysis. Act as an interface of the FT Group in North America (15%) - Develop, network and maintain relationships with members of the FCC, the legislative branch, telecom associations and industry representatives. - Participate in NA telecom industry regulatory/policy events, attend conference and/or organize meetings with NA players. Contribute to other FTNA deliverables (15 %) - Contribute to event-specific deliverables that are of interest for FTNA's business development team and the FT group (act as virtual member of their Strategy & Players team) Minimum Job Requirements - Bachelors degree from accredited university; business or economics background preferred; Graduate degree, including JD, helpful but not required. - 2 to 4 years experience in regulatory and policy affairs position or comparable analytical position; telecom regulatory knowledge preferred. - Basic understanding of telecom technologies, interest in innovation. - Strong communication skills in English both spoken and written; French proficiency helpful but not required. Please email resume, writing sample and salary requirements to Yolanda Hurtado at **nytcv04@yahoo.com**.

11.07.3

Spectrum/Regulatory Analyst – We are an exciting facilities-based wireless broadband company looking to add a Spectrum/Regulatory Analyst to our Washington, DC-based team. If you are, or know, an energetic, eager-to-learn recent college grad, paraprofessional or other individual interested in the

telecommunications field, this job may be right for you! No prior experience in telecommunications is required.

In this position, you will work directly with senior company business and legal professionals on a variety of transactional, regulatory, and other related issues that affect our growing business. You will have the opportunity to participate in and learn all areas of responsibility covered by the members of our approximately 10-person group, and to develop greater expertise and responsibility in those areas in which you are best suited and most interested.

The only qualifications we require are excellent research, writing and data analysis skills; attention to detail and strong organizational skills; ability to handle multiple projects simultaneously; strong interpersonal skills and an ability to work well in a small office environment; and extensive Microsoft Office experience.

Please note that this is a BLIND BOX ad; see instructions above.

11.07.4

Telecommunications Paralegal Contractor - Telecommute from home with a flexible work schedule. Ten-attorney firm has an immediate opening for a telecommunications paralegal or legal professional. The ideal candidate will have solid working knowledge of FCC and research databases. Qualified candidate must be highly motivated with the ability to work independently and as part of a team. Excellent research, written, and oral communication skills are essential. Prior experience in the wireless or wireline areas is desirable. Responsibilities include monitoring, reporting, and summarizing daily regulatory activity, drafting client memoranda, researching statutes, regulations and telecom cases. The paralegal serves as a key member of the telecommunications team. To apply, please send cover letter, resume, and two analytical writing samples to **recruiting@dc.bhb.com**.

What's the Password?

Many of you have noticed that while trying to log into the FCBA's Online Membership Directory: http://www.fcba.org/directory_login.shtml, that a password is required. The password can be located **every month on page two** of the **FCBA News**, and will appear at the bottom of the masthead. The masthead is the box containing the list of the FCBA's Executive Committee members. **The password changes on the 10th of every month.**

In MEMORIAM

Jack William Whitley (1953-2007)

Jack Whitley, a past chair of the Chicago Chapter of the Federal Communications Bar Association, passed away peacefully on June 26 at age 54 after a long battle with colon cancer.

Jack began his telecommunications career at the Federal Communications Commission in the Mass Media Bureau. He worked with Roy Stewart in the early 1980's on broadcast renewals and transfers in the comparative hearing era.

Jack left the FCC in the mid-1980's to pursue private practice at several Washington, D.C., law firms including Blum, Nash and Railsback; Baker and Hostetler; and Gurman, Kurtis, Blask and Friedman. In 1990, he left private practice to become the Director of Regulatory Affairs at the Cellular

Telecommunications Industry Association during the introduction of second generation wireless.

A native of Illinois, Jack always wanted to return and practice in his home state. At the beginning of the birth of the commercial Internet in the 1990's, he returned to Illinois where he worked at various times for U.S. Cellular, Aerial Communications, Northpoint Communications, AT&T, and Motorola.

In addition to his legal career, Jack was a broadcast entrepreneur. In 1985, he founded STARadio with the purchase of an AM/FM combo in Portsmouth, Ohio. STARadio owned 17 stations at the peak of its operation. It presently owns and operates stations in Kankakee and Quincy, Illinois, and Hannibal, Missouri.

A native of Joliet, IL, Jack attended Illinois Wesleyan University where he founded the campus radio station,

WESN, which is still on the air today. He also earned an MA degree in Mass Communications from Illinois State University, an LLB from Drake University Law School, and an LLM in Taxation from Georgetown University Law Center.

Jack is survived by his wife of 22 years, Sydney (Parker) Whitley of Kildeer, Illinois, and his two children Leila Ann and Allison. Jack's family has established the Jack W. Whitley Endowed Scholarship Fund in his memory. The Fund will assist students involved with the campus radio station at Illinois Wesleyan University. Donations can be made to the Fund in care of the University at 1312 Park Street, Bloomington, IL 61702, or online by accessing the website at <http://www.titanpride.org/supportiwu>.

The FCBA acknowledges with appreciation the contribution of Gregg P. Skall to the content of the foregoing memorial.

October 2nd Luncheon Featuring a Private Equity Panel consisting of William Kennard, Julie Richardson, Jamie Rubin, and Tom Wheeler



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:

- ☐ **Wednesday, November 7, 6:00 – 8:15 p.m. – CLE on Drafting Consumer Contracts**, Arnold & Porter LLP, 555 Twelfth Street, NW
Cost: \$85.00 for Private Sector Members; \$50.00 for Government/Academic/Student Members; \$25.00 for Government/Academic/Student Members 5 years or less out of school; \$135.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Monday, November 5, 2007
- ☐ **Friday, November 16, 1:00 – 2:00 p.m. – Tour of XM Satellite Radio Programming Center and Headquarters**, 1500 Eckington Place, NE
**There is no registration fee, but there is a 20 person limit for the tour. Registrations will be accepted on a first-come, first-served basis.*
- ☐ **Tuesday, November 27, 8:00 a.m. – FCBA Breakfast with Derek Poarch**, Capital Hilton, 1001 16th Street, NW
Cost: \$40.00 for Private Sector Members; \$30.00 for Government/Academic/Student Members; \$55.00 for Non-Members. Tables of 10 available for \$400.00.
Registrations and cancellations due by Noon, Wednesday, November 21, 2007
- ☐ **Thursday, November 29, 12:15 p.m. - Wireless Lunch on The Economics of Wireless Net Neutrality and Open Access**, Sidley Austin LLP, 1501 K Street, NW
Cost: \$15.00
Registrations and cancellations due by Noon, Tuesday, November 27, 2007
- ☐ **Thursday, December 13, 6:00 – 8:15 p.m. – CLE on Enforcement of U.S. Patent Laws: International Activities, Standards for Patentability and Willfulness**, Arnold & Porter LLP, 555 Twelfth Street, NW
Cost: \$85.00 for Private Sector Members; \$50.00 for Government/Academic/Student Members; \$25.00 for Government/Academic/Student Members 5 years or less out of school; \$135.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Tuesday, December 11, 2007

\$ _____ Total Enclosed ☐ Visa ☐ MasterCard ☐ American Express ☐ Check
Credit card no. _____ Exp. date _____
Signature _____

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

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

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

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

Federal Communications Bar Association

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

21ST ANNUAL FCC CHAIRMAN'S DINNER *Registration*

Wednesday, December 5, 2007

**HILTON WASHINGTON & TOWERS
1919 CONNECTICUT AVENUE, NW**

**RECEPTION - 6:00 P.M. - EXHIBIT HALL
DINNER - 7:30 P.M. - INTERNATIONAL BALLROOM**

FCBA FOUNDATION SPONSOR:*

____ table(s) (ten guests per table) at \$2,200.00 per table or

PURCHASE OF TABLE:

____ table(s) (ten guests per table) at \$1,850.00 per table

** The FCBA Foundation is a charitable organization qualified under §501(c)(3) of the Internal Revenue Code. Contributions to the FCBA Foundation are tax deductible in the amount of \$350 for each Sponsor Table. Tax ID # 51-0334407*

INDIVIDUAL TICKETS:

____ FCBA Private Sector Member ticket(s) at \$185.00 each

____ FCBA Government/Academic/Law Student Member ticket(s) at \$100.00 each

____ Non-Member ticket(s) at \$275.00 each

Name _____

Organization _____

Address _____

Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

\$ _____ Total Enclosed ☐ Visa ☐ MasterCard ☐ American Express

Credit card no. _____ Exp. date _____

Signature _____

**PLEASE SEND THIS FORM AND A CHECK MADE PAYABLE TO
THE "FCBA" NO LATER THAN FRIDAY, NOVEMBER 16 TO:**

Federal Communications Bar Association
Chairman's Dinner
1020 19th Street, N.W.
Suite 325
Washington, D.C. 20036-6101
Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: fcba@fcba.org

**PLEASE NOTE THAT SEATING IS RESERVED AND TICKETS
WILL BE MAILED TO THE PERSON INDICATED ABOVE AT
THE BEGINNING OF DECEMBER.**

Cancellation Policy: Cancellations will be accepted and fees refunded if notice is received in writing no later than Friday, November 16, 2007. No refunds will be granted after this time.

BUSINESS ATTIRE

Pursuant to the Office of Government Ethics regulation on widely-attended gatherings (5 C.F.R. §2635.204(g)(2)), the Chairman's Dinner appears to qualify as a widely attended gathering. The value of an individual ticket to the dinner is \$185.00. In most cases, individuals and organizations may issue invitations to the Chairman's Dinner directly to federal employees without the involvement of the FCBA. Some agencies and branches of the Federal Government do, however, apply additional stipulations above the regulation issued by the Office of Government Ethics. Invitations to Members of Congress and to Congressional staff must be issued by the FCBA. Contact the FCBA for additional information.

While this event has been cleared by the Office of the General Counsel in previous years, each FCC employee is required to obtain individual ethics clearance based on matters they are working on within the Commission.

25th Annual **TELECOMMUNICATIONS POLICY** and **REGULATION CONFERENCE REGISTRATION**

CO-SPONSORED BY THE FCBA AND THE PRACTISING LAW INSTITUTE

Wednesday, December 5 and Thursday, December 6, 2007

THE WASHINGTON HILTON, 1919 CONNECTICUT AVENUE, N.W., WASHINGTON, D.C.

Name _____

Organization _____

Address _____

Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

_____ I am a member of the FCBA and/or PLI (Registration Fee is \$1,255.50)

_____ I am not a member of the FCBA or PLI (Registration Fee is \$1,395.00)

_____ I wish to obtain state bar CLE credit for this program from _____ (name of state)

Four ways to register:

MAIL THIS FORM AND A CHECK MADE PAYABLE TO THE "PRACTISING LAW INSTITUTE" TO:

Practising Law Institute
810 7th Avenue
New York, NY 10019

PHONE:

(800) 260-4PLI

FAX:

(800) 321-0093

WEB SITE:

<http://www.pli.edu>

REGISTRATION DESK AT PROGRAM:

(202) 483-3000

FCC STAFF: receive a full scholarship to the Telecommunications program. Each attendee must enclose a \$25 application fee, payable to PLI, to receive the scholarship. The requests for scholarships should be sent to Scholarship Committee, PLI, 810 Seventh Avenue, New York, NY 10019 (fax: 212-824-5871)

PLI'S SCHOLARSHIP/FINANCIAL HARDSHIP POLICY: Full and partial scholarships to attend programs are available to judges, judicial law clerks, law professors, attorneys 65 and older, law students, pro bono attorneys, librarians and paralegals who work for non profit organizations, legal services organizations or government agencies, unemployed attorneys and others with financial hardships. To apply, send your request on your employer's letterhead, stating the reason for your interest, along with the completed registration form on this brochure, to the PLI Scholarship Committee. All applications must be accompanied by a \$25 non-refundable application fee (applicants may pay by check or credit card) and must be submitted four weeks before the date of the program. Students must submit a copy of their student ID card.

2007 FCBA MEMBERSHIP DIRECTORY *Order Form*

Copies of the 2007 FCBA Membership Directory are available for purchase at a cost of \$55.00 for FCBA Members, \$30.00 for Law Student Members, and \$110.00 for Non-Members and in accordance with the terms set forth on this form. There is a 10% discount for orders of 10 or more Directories. **(Please add 5.75% sales tax for orders sent to D.C. addresses).**

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

Please send me _____ copy(ies) of the 2007 FCBA Membership Directory.

Signature (required) _____

Name _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

\$ _____ Total Enclosed **(Please add 5.75% Sales Tax for orders sent to D.C. addresses)**

☐ Check Enclosed ☐ Visa ☐ MasterCard ☐ American Express

Credit card no. _____ Exp. date _____

Signature _____

Please make check payable to "FCBA"

PLEASE SEND OR FAX THIS FORM TO:

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

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

THE 2ND ANNUAL ABA/FCBA PRIVACY & DATA SECURITY FOR COMMUNICATIONS AND MEDIA COMPANIES CLE – *Now Available*

If you missed this Seminar, buy it now!

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

SESSION I - PRIVACY & DATA SECURITY 101

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

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

Cost: \$175.00 for ABA Communications Law Forum or FCBA Members
\$100.00 for Government & Student Members of Either Organization
\$300.00 for Non-Members
(Please add 5.75% sales tax for orders sent to D.C. addresses)

Name(s) _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

\$ _____ Total Enclosed ☐ Visa ☐ MasterCard ☐ American Express

(Please add 5.75% sales tax for orders sent to D.C. addresses)

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Please make check payable to "FCBA"

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

Calendar

November 7	CLE Seminar on Drafting Consumer Contracts presented by the Transactional Practice Committee
November 13	Chapter Co-Chair Monthly Call
November 13	Mass Media Practice Committee Brown Bag Lunch
November 13	Foundation Board Meeting
November 15	18th Annual Charity Auction
November 16	Engineering and Technical Practice Committee Tour of XM Satellite Radio
November 16	Pacific Northwest Chapter Panel Session and Lunch
November 19	Intellectual Property Practice Committee Brown Bag Lunch
November 20	Executive Committee Meeting
November 27	FCBA Breakfast featuring Derek Poarch
November 29	Wireless Practice Committee Luncheon
November 28	Silicon Flatirons/Rocky Mountain Chapter Seminar on Public Safety, New Technologies, and the Future of Emergency Response
December 5	21st Annual Chairman's Dinner
December 5-6	25th Annual PLI and FCBA Conference
December 6	International Telecommunications Practice Committee Brown Bag Lunch
December 13	CLE Seminar on Enforcement of U.S. Patent Laws: International Activities, Standards for Patentability and Willfulness



FEDERAL COMMUNICATIONS
BAR ASSOCIATION

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Suite 325
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