

# COHN and MARKS LLP

## Expanded Biographies

**Robert B. Jacobi** is a partner at Cohn and Marks LLP. Prior to joining Cohn and Marks LLP, Bob undertook a variety of challenges at the FCC. In his five-year career at FCC, Bob worked in the offices of Opinions and Review, the Hearing Division and the Litigation Division of the Office of General Counsel.

Bob's practice is primarily devoted to the representation of radio and television stations -- including transactional matters, ongoing regulatory compliance, rulemaking and other proceedings at the FCC. In addition, he has participated in numerous challenges to Commission decisions before the United States Court of Appeals for the District of Columbia.

Bob has been particularly active in matters relating to the establishment of digital television. He has filed comments in all phases of the rulemaking proceeding and participated in ad hoc sessions designed to effectuate digital television. He continues to represent clients during the rollout of digital television by providing advice and counsel as to preparation for digital operation.

Bob is a member of the Federal Communications Bar Association and has appeared as a panelist at FCBA seminars on numerous matters, including Equal Employment Opportunity requirements, Political Broadcasting and preparation of license renewal applications.

A graduate of Washington and Lee University Law School, Bob is admitted to practice before the courts of the Commonwealth of Virginia, the District of Columbia and the United States Supreme Court. He is an active sports enthusiast who plays handball three days per week. Bob's son, Joe, is a 1992 Olympic Gold Medalist in white water paddling.

**Roy R. Russo**, Managing Partner of the law firm of Cohn and Marks LLP, specializes in communications law. Prior to joining Cohn and Marks LLP, Roy was on the legal staff of the Federal Communications Commission (FCC). As an attorney in the Office of Opinions and Review, Roy was responsible for preparing and presenting to the FCC summaries and recommendations for action in hearing cases involving all areas of FCC jurisdiction, including broadcast, common carrier, and safety and special radio services. He joined the staff of the FCC's Review Board when that body was created pursuant to Congressional authority, and held the position of Assistant Chief for Law of that body.

For more than 40 years, Roy's communications law experience in and after the FCC has spanned a wide range of issues. At the FCC, he reviewed the record and drafted the FCC's decision authorizing the Hartford, Connecticut pay television experiment and a decision effectuating a UHF-VHF de-intermixture plan, both of which were affirmed by the U. S. Court of Appeals for the D. C. Circuit. He was also appointed by the Commission to assist in the development of then-new discovery rules for the agency. Similarly, at Cohn and Marks LLP, Roy's practice has been marked by forays into new and challenging areas of FCC law and policy, including participation in the AT&T Telpak sharing case, representation of Electronic Data Systems in connection with the FCC's first Computer/ Communications Inquiry, and the successful application by Packet Communications, Inc. for the first FCC authorization for commercial use of the packet-switching technology developed by the Defense Department's Advanced Research Projects Agency, a critical technological milestone toward creation of the Internet.

Broadcasting, however, has been the principal area of communications law practice for Roy. He has been involved in and principally responsible for the representation of a wide range of broadcasting companies, from the smallest single station owners to publicly-held companies with nationwide interests. Such representation has included advice and counsel with respect to major public offerings and preparation of Hart-Scott-Rodino Act submissions. Representation of a television broadcast station on the Canadian border brought Roy and the firm into the forefront of challenging Canadian Bill C-58, which denied to Canadian advertisers any tax deduction for expenditures on U.S. stations; this practice was found by both President Jimmy Carter and President Ronald Reagan to constitute an unreasonable burden on U.S. commerce within the meaning of Section 301 of the Trade Act of 1974 (which during the course of the dispute was amended to specifically cover trade in services as well as goods.)

Although Roy's broadcast representation has centered around FCC regulation of the broadcasting industry, it has increasingly expanded to involvement with other federal agencies affecting broadcasting companies, including the Antitrust Division of the Department of Justice, the Federal Trade Commission, the Equal Employment Opportunities Commission, the U. S. Copyright Office, and the U. S. Department of State. Roy's practice has also encompassed representation of broadcast companies before federal and state courts. As part of the firm's long history of representation of public broadcasters, Roy participated in the filing on behalf of the Corporation for Public Broadcasting in opposing FCC enforcement of the "objectivity and balance" provision in Section 396 of the Communications Act; the Commission's opinion agreeing with our position was affirmed by the U. S. Court of Appeals for the D. C. Circuit, and certiorari was denied by the Supreme Court of the United States.

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Roy has been an active member of the Federal Communications Bar Association, serving as co-chair of its Mass Media Practice Committee and as a member of its Nominations Committee. He has appeared as a panelist not only at FCBA seminars for the communications bar, but also on panels on numerous issues (including political broadcasting, equal employment opportunities, and improvement of radio station facilities) at the annual Convention and the annual Radio Show of the National Association of Broadcasters. Roy also participated in the first program conducted by the NAB in connection with its Children's Television Symposium and Awards.

Roy is also a member of the American Bar Association and its Administrative Law section; a founding member of the Computer Law Association; and a member of the International Institute of Communications. Roy served on the Editorial Advisory Committee for The Communications Act: A Legislative History of the Major Amendments 1934-1996, and is on the Advisory Board of Pike & Fischer Communications Regulation. He authored the chapter in the Legislative History volume on public broadcasting.

Roy and his wife Ann are both natives of Utica, New York. Roy received his B.A. degree from Columbia College at Columbia University in 1956, and an LL.B. *cum laude* from the College of Law at Syracuse University in 1959. Active in alumni affairs, Roy has served as President of the Columbia University Club of Washington, DC, and was awarded an Alumni Medal for Conspicuous Service to Columbia University in 1994; Roy has also been a member of the Society of Fellows of Syracuse University and received the 2005 Alumni Achievement Award presented by the Syracuse Law Review. Roy's civic and religious activities have included the formation and Founding Presidency of Catholics for Housing, Inc.; a founder, Vice President and Director of St. Mary's Housing Corporation, a major sponsor of housing for the elderly in Northern Virginia; the founding President of the Commission on Social Ministry of the Catholic Diocese of Richmond, Virginia; and President of the Board of Directors of Catholic Charities for the Catholic Diocese of Arlington, Virginia, for which he received the first Msgr. Geno Baroni Award for Social Justice in 1984. Roy also served for many years as special counsel to the National Catholic Conference for Interracial Justice, and in that capacity participated in the work of the Leadership Conference on Civil Rights toward enactment of the Civil Rights Restoration Act of 1991. Roy is admitted to practice before the courts of the State of New York, the District of Columbia, and the Supreme Court of the United States.

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**Ronald A. Siegel**, a partner in the law firm of Cohn and Marks LLP, has over 30 years experience in many facets of communications law. Ron's practice includes the representation of cable, broadcast and other media, as well as programmers and telecommunications companies. He represents these clients in transactions, ongoing regulatory compliance, major licensing, rulemaking and other proceedings before the FCC, proceedings before the U.S. Copyright Office and other federal agencies, and state and federal courts. Ron represents cable operators and other video distributors before local and state franchising authorities. He also advises governmental entities and private entities, including financial institutions, about communications-related policies, developments, strategies and transactions.

Among Ron's many achievements, are the following:

- \* Played a major role with regard to the legal and strategic issues involved in the relocation of TV broadcast facilities from the Empire State Building to the World Trade Center in New York City and the creation of an antenna farm at the World Trade Center.
- \* Instrumental in the development of the concept of teleports, which began as satellite antenna farms located primarily in urban areas to provide satellite uplink and downlink services. Played a central role in the Port Authority of New York and New Jersey's development and implementation of plans for the world's first satellite communications center-office park at Staten Island.
- \* Assisted major U.S. airports and other public facilities in developing sophisticated communications systems at those locations.
- \* Assisted universities and colleges in the development and operation of radio, television, cable and other communications systems.
- \* Provided advice to overseas governmental and private entities in developing communication policies and strategies in their countries and in entering communications-related ventures in the U.S.
- \* Successfully represented cable companies, broadcast companies and others in major mergers, acquisitions and sales.
- \* Negotiated with Departments of Army, Air Force and Marine Corps in designing new procedures for the regulation of cable systems and to facilitate the obtaining of cable franchises and renewals on military bases.

Ron has been a panelist and speaker at national, regional and state cable and broadcast association conferences and has participated in symposiums on new communications technologies and concepts. He has conducted seminars and workshops throughout the United States on equal employment opportunity requirements, political broadcasting and cablecasting laws and other communications-related regulatory matters. He chaired and participated in seminars sponsored by the Federal Communications Bar Association and Practising Law Institute on matters such as cable rate regulation, must-carry/retransmission consent and copyright.

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Ron was elected as a member of the Cable TV Pioneers in 1994 in recognition of his outstanding contribution to the advancement of the cable industry. He was the first Chairperson (1989-94) of the Federal Communications Bar Association Cable Practice Committee in which capacity he represented the communications bar and cable industry with respect to efforts to improve FCC, Copyright Office and other federal agency procedures, practices and policies for dealing with the cable industry. Ron was also a Director (1996-1998) of the Armed Forces Communications and Electronics Association, a professional association for the communications, electronics, intelligence and information system community. He is also a member of National Radio Systems Committee in which capacity he participates in the formulation of technical standards for new technologies, such as the radio broadcast data systems (RBDS) standards.

Prior to joining Cohn and Marks LLP, Ron was on the legal staff of the Federal Communications Commission (FCC). As an attorney in the FCC's Office of General Counsel, Ron was responsible for preparing and presenting FCC cases before federal courts. He was also responsible for developing FCC rules and policies governing the cable and broadcast industries and for handling contested cable and broadcast cases.

Ron, a native of New York, is admitted to practice in the District of Columbia, New York, and before the United States Supreme Court. He received his B.A. from the University of Michigan in 1961 and his J.D. with Distinction from the University of Michigan Law School in 1964. Ron is a member of the American, District of Columbia and Federal Communications Bar Associations. He enjoys antiques and sports such as tennis, basketball and fishing.

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**Lawrence N. Cohn**, a partner in the firm of Cohn and Marks LLP, specializes in broadcast law (primarily relating to the acquisition, operation, and sale of radio broadcast stations) and equal employment opportunity law. Larry has spent his entire legal career at Cohn and Marks LLP.

Larry has almost 30 years experience in the area of communications law. During his career, he has had primary responsibility for providing counsel to parties participating in rulemaking proceedings before the Federal Communications Commission ("FCC"), preparing, prosecuting, and litigating at the FCC on behalf of applicants seeking renewal of existing broadcast licenses and for construction permits for new broadcasting facilities in comparative hearing cases.

Larry is also active in the area of civil rights law. He has represented employers before the FCC and in local tribunals who have been charged with discrimination against their employees, and he has also represented several individuals who instituted legal proceedings against their employers (or former employers) before local tribunals on the basis of illegal discrimination because of race, gender (including sexual harassment), or physical disability. Larry has also served, on behalf of the Government of the District of Columbia, as a volunteer mediator in employment discrimination cases.

Larry received his J.D. degree from Cornell Law School, and is authorized to practice law in the District of Columbia. Larry has run in many of the nation's most prestigious marathons and boasts a sub 3 hour finishing time.

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## Expanded Biographies

**Richard A. Helmick**, a partner in the law firm of Cohn and Marks LLP, specializes in broadcast radio and television law with representation of both commercial broadcast clients and nonprofit educational and religious broadcasters. Dick's specialties also include common carrier, satellite communications, private radio, and intellectual property issues involving service marks and trademarks. He represents clients before the FCC, the Patent and Trademark Office and courts. Dick also represents court appointed trustees in bankruptcy, creditors and media in bankruptcy and creditor proceedings.

Dick's expertise encompasses many facets of federal regulations governing broadcast radio and television, other media and common carrier operations. He has represented broadcast and other clients in complex mergers, acquisitions and sales, licensing matters, FCC rule making proceedings and ongoing regulatory compliance. Dick is well-versed in the legal issues which arise in connection with the day-to-day operations of broadcast stations, including matters such as advertising and promotional acceptability, political broadcasting, EEO, technical compliance and programming related matters. Dick is also experienced in handling complex litigation proceedings before the FCC and federal courts.

His undergraduate years were spent at Xavier University, from which he graduated *magna cum laude* in 1964. He received his JD degree from the University of Cincinnati in 1971. In the four years between college and the start of law school, Dick was an officer in the United States Army serving in artillery, airborne and special forces units; he holds a senior parachutist rating, having made more than 40 military jumps. His first position after law school was as an attorney with the International and Satellite Division of the FCC's Common Carrier Bureau where he was involved with authorizing international common carrier satellite and submarine cable communications facilities.

Dick, a native of Cincinnati, Ohio, is admitted to practice in the District of Columbia and before various federal courts. He is a member of the American, District of Columbia and Federal Communications Bar Associations and has been a panelist and speaker at national broadcast association conferences.

Dick and his wife Elaine are the proud parents of four children. Dick is past-president of the Washington Chapter of the Xavier University Alumni Association and is active in a variety of alumni, charitable and religious activities; in his "free" time, he works for Elaine around the house and in the garden.

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**J. Brian DeBoice**, a partner in the law firm Cohn and Marks LLP, advises media clients on a wide array of legal issues. He regularly counsels television and radio broadcasters, cable television system operators and telecommunications companies regarding regulatory, legal, litigation and contract matters. He has also advised program networks, publishers, trade associations, equipment manufacturers and advertising agencies regarding federal regulatory issues which affect those industries.

Brian has particular expertise in regulatory, contractual and litigation matters that affect cable television systems and broadcast television stations. He advises cable and broadcast clients regarding cable television franchising and franchise renewal, mandatory broadcast signal carriage and "must carry" market modification, cable rate regulation, network and syndicated programming exclusivity and related matters. He also regularly assists cable television and broadcast clients in the negotiation of contracts, including cable franchise agreements, network affiliation agreements, broadcast retransmission consent agreements and cable leased access agreements. Brian advises broadcast clients regarding federal regulatory issues relating to broadcast licensing, and he advises both broadcast and cable television clients regarding the entire range of federal regulatory compliance issues that affect these industries. Brian has served as lead litigation counsel in many contested broadcast licensing proceedings before the FCC and in court, as well as in many contested agency and court cases relating to cable television franchising and other federal regulatory issues affecting the broadcast and cable television industries.

Brian also has particular expertise in areas of Federal law relating to program and advertising content, including laws governing children's programming and commercial limitations, political advertising and cablecasting, libel and slander, rights of privacy and publicity and other content-based restrictions on advertising and program content. In addition to counseling broadcast, cable television and advertising agency clients regarding content-based issues, Brian has provided counsel on First Amendment issues to both electronic and print media clients.

Brian has been a panelist and speaker at national and regional media conventions, has participated in symposiums regarding communications law, and has published articles about communications law issues, privacy rights and First Amendment issues. He has been admitted to practice in the District of Columbia and in Illinois, and is a member of the American, District of Columbia and Federal Communications Bar Associations. He is a graduate of the University of Illinois (J.D., magna cum laude, 1979) and Kenyon College (A.B., cum laude with distinction, 1973). Prior to joining Cohn and Marks LLP in 1980, Brian served as a judicial law clerk for Judge Philip W. Tone of the United States Court of Appeals for the Seventh Circuit.

For fun, Brian gardens (flowers mostly), watches movies, listens to music and writes. He thinks that Capra was great and that Bob Dylan is a genius. He likes Richard Thompson a lot too. Most of all he loves a girl that he met once on a train.

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**Jerold L. Jacobs** joined Cohn and Marks LLP as a partner in October 1999 after 12 years as Special Counsel in the Telecommunications Practice Group of the Washington, D.C. office of a prominent New York City law firm.

Jerry's practice emphasizes broadcast, digital television (DTV), and cable television issues. He regularly assists AM, FM, TV, FM and TV translator, and LPTV clients in obtaining approval of innovative applications, waiver requests, and special authorizations by the FCC for new and existing broadcast stations. He also files comments in complex broadcast and cable rulemaking proceedings, most recently involving the proposed creation of a Low Power FM Service, DTV implementation, industry EEO requirements, satellite program delivery, application streamlining, multiple ownership limitations, broadcast auctions, and FM channel allotments. In addition, Jerry represents cable and TV clients in signal carriage disputes before the FCC, and he litigates broadcast and cable issues in adversary pleading cases, negotiations, and FCC administrative hearings. He recently filed a brief in the U.S. Court of Appeals for the D.C. Circuit, challenging the FCC's *Character Policy Statements* in a radio license revocation proceeding. Finally, Jerry advises clients concerning FCC policy issues and legislative developments in the communications area, and he handles FCC-related transactional matters.

From 1968 to 1987, Jerry served in various attorney, supervisory and quasi-judicial positions at the FCC. These roles included 10 years in the cable television area (two years as Deputy Chief of the Cable Television Bureau), two years as Chief of the Broadcast Bureau's Broadcast Facilities Division, and seven years as the senior appellate judge on the FCC's Review Board. As Broadcast Facilities Chief, Jerry directed the initiation of some 170 comparative broadcast licensing proceedings and headed a staff of 80 attorneys, engineers, and others responsible for approving all AM, FM, TV, and auxiliary construction permits and licenses for new broadcast stations and modifications of existing stations' facilities. On the Review Board, he authored or supervised some 125 decisions and memorandum opinions.

A native of Hewlett, Long Island, New York, he is a member of the District of Columbia and New York State bars, the American Bar Association, Federal Bar Association, and the Federal Communications Bar Association. He is a regular panelist at broadcast trade association conventions.

Jerry has been admitted to practice before the U. S. Supreme Court, the U. S. Court of Appeals for the District of Columbia Circuit, and the U. S. Court of Appeals for the Eleventh Circuit. He has written appellate briefs for both Circuits and has argued before the 11th Circuit. Jerry received his undergraduate degree *cum laude* (B.A., 1965) from Amherst College and his law degree (J.D., 1968) from Harvard Law School. Jerry and his wife Laura are the parents of three grown children. She is a physics teacher and the Assistant Principal of the Charles E. Smith Jewish Day School in Rockville, Maryland, where they reside.

Jerry has been active in alumni, civic, charitable, and religious affairs in the greater Washington DC area, including serving as President of the local chapter of the Amherst Alumni Association, the Burke (VA) Townhouse Homeowners Association, the National Capital Chapter of American Jewish Congress, the Virginia State Association of B'nai B'rith, and the Arlington-Fairfax Jewish Congregation, and as Vice President of the Horizon Hill Civic Association (Rockville MD) and the Seaboard Region of the United Synagogue of Conservative Judaism.

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**Susan V. Sachs** is a senior associate at Cohn and Marks LLP. Her specialties include general representation of cable television operators with respect to federal regulatory compliance, including equal employment opportunity, copyright and technical system performance requirements. She also represents cable operators and other media clients in connection with sales and purchases of media entities. In addition, she counsels broadcasters regarding compliance with Federal Communications Commission rules and policies.

Susan oversees the compliance of Cohn and Marks LLP cable television clients with a large number of detailed and complex federal regulations. She monitors their ongoing compliance with Federal Communications Commission and Equal Employment Opportunity Commission EEO regulations and policies. She supervises all required cable system EEO regulatory filings, including the FCC's Annual Employment Report filing requirement and the EEOC's annual EEO-1 Form filing requirement. Susan also handles all other aspects of EEO compliance by cable operators, including responses to FCC inquiries, negotiations with federal regulators and representation of clients in connection with formal, on-site EEO audits conducted by the FCC. She has successfully defended cable operators in both formal and informal federal EEO proceedings, and has conducted EEO seminars and authored EEO compliance manuals for use by cable operators. She also advises Cohn and Marks LLP broadcast clients regarding compliance with the FCC's EEO regulations and policies and assists them in the preparation of various EEO filings, including the FCC's Annual Employment Report and the EEO Program Report that is submitted with FCC license renewal applications.

Susan is also well-versed in the often complex rules which govern cable operators' compliance with copyright laws. She supervises the preparation and filing of cable systems' semiannual copyright Statements of Account and advises cable clients regarding these and other aspects of their compliance with copyright laws.

Susan's expertise also encompasses a broad range of federal regulations governing cable system design, operations and technical performance, including FCC rules governing signal quality, signal leakage, system monitoring, use of aeronautical frequencies, and use of radio frequencies for microwave and other transmissions. She supervises all required record keeping and regulatory filings relating to these detailed technical regulations, including annual cable system signal leakage reports, physical system notifications, aeronautical frequency notifications and license applications for cable system facilities such as CARS microwave stations, satellite earth stations and business radio stations.

Susan also counsels broadcasters regarding compliance with FCC rules and policies, including the FCC's requirements concerning public affairs programming and children's programming. She assists Cohn and Marks LLP broadcast clients in the preparation of FCC license renewal applications, FCC assignment and transfer of control applications, and other FCC filings.

Susan received a Bachelor of Arts with Honors from the College of William and Mary in 1982. Returning to William and Mary for law school, she received a Juris Doctor degree in 1987. In her second and third years of law school, Susan was a member of the William and Mary Law Review, and in her third year of law school, she served as the Articles Editor of the Law Review.

A Virginia native, Susan currently resides with her husband and two children in Rockville, Maryland. She is admitted to practice in the District of Columbia and Virginia. She is a member of the American, District of Columbia, and Federal Communications Bar Associations.

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**Joel H. Levy** has practiced communications law at Cohn and Marks LLP since 1965. Joel graduated from the Harvard Law School in 1960, moved to Washington from his native New York, and then spent five years at the FCC learning the intricacies of broadcast regulation while writing briefs and defending decisions of the Commission before the Federal Courts of Appeal.

In over 30 years of representing large and small broadcasters, from General Electric and News Corp. to small town AM and FM operators, cellular interests and common carriers, his practice has featured major administrative and appellate litigation, strategic and business planning of transactions requiring regulatory approval, and regulatory compliance.

Joel has found particular professional and personal satisfaction in the close relationships developed with clients; in defending the First Amendment rights of broadcasters; holding the Federal Government to rigorous standards of due process when attempting to regulate the electronic media; and working as a member of the Federal Communications Bar Association to elevate and enforce the lawyer's ethical obligations. He has served as co-chair of the FCBA's Professional Responsibility Committee, served as a national officer of the American Jewish Congress, and been managing partner of the firm.

When not pondering the shifting landscape of communications law and philosophy, Joel may be found in various green pastures or dark rooms contemplating the nature of reality as reflected in a silver image on paper and the objective futility in attempting to perfect propelling a small white ball into a man-made hole in the ground.