

BIOGRAPHIES OF SYMPOSIUM PARTICIPANTS

PATRICIA AUFDERHEIDE is currently a professor in the School of Communication at *American University* in Washington, D.C., where she serves as the co-director of the Center for Social Media and was recently named the University's Scholar-Teacher of the Year. Professor Aufderheide is a director of the Independent Television Service, which produces innovative television programming for underserved audiences under the umbrella of the Corporation for Public Broadcasting. She also serves on the film advisory board of the National Gallery of Art, and on the editorial boards of a variety of publications, including *Communication Law and Policy*, and *In These Times* newspaper. She received her Ph.D. in History from the *University of Minnesota*.

Professor Aufderheide is a prolific cultural journalist, policy analyst, and editor on media and society, and has received numerous journalism and scholarly awards. She is the author most recently of *THE DAILY PLANET: A CRITIC ON THE CAPITALIST CULTURE BEAT* and of *COMMUNICATIONS POLICY IN THE PUBLIC INTEREST: THE TELECOMMUNICATIONS ACT OF 1996*, and is the editor of *BEYOND PC: TOWARD A POLITICS OF UNDERSTANDING*. She has been a Fulbright and John Simon Guggenheim fellow and has served as a juror at the Sundance Film Festival, among others. Ms. Aufderheide has advocated for universal service telephone policies for the United Church of Christ, and has consulted on media issues for Benton, Rockefeller, Ford and MacArthur Foundations, as well as a variety of public television organizations.

LEONARD M. BAYNES is a professor at *St. John's University Law School*, where he teaches Business Organizations, Communications Law, Regulated Industries, and Race and the Law. Prior to joining *St. John's* faculty, Professor Baynes was a tenured faculty member at *Western New England College School of Law* in Springfield, Massachusetts. He has served as a visiting professor at *Pennsylvania State University, Dickinson School of Law*, and *American University Washington College of Law*. He also taught in the summer programs at the *University of*

Puerto Rico School of Law and the *University of Hawai'i*. He has lectured on telecommunications issues in international continuing legal education programs in Bogotá, Columbia, and Panama City, Panama. Professor Baynes received his J.D. and M.B.A. from *Columbia University* and his B.S. from *New York University*.

Prior to teaching, Professor Baynes clerked for Federal District Court Judge Clifford Scott Green in the Eastern District of Pennsylvania and was an associate with the law firm of Gaston & Snow. For five years, Professor Baynes served as an attorney with Verizon Corporation (formerly NYNEX Corp.). From 1997 to 2001, Professor Baynes served as a Scholar-in-Residence at the Federal Communications Commission under then Chairman William E. Kennard. Professor Baynes has served as Chair of the Planning Committee for the Northeastern People of Color Legal Scholarship Conference which, in April 2003, held its annual conference at *St. John's University* in conjunction with *St. John's* Ron Brown Center for Civil Rights and Economic Development. Professor Baynes has also organized four communications law conferences examining market deregulation and competition in telecommunications and broadcasting.

JONATHAN P. CODY serves as Special Policy Advisor to Chairman Michael K. Powell and is currently Acting Legal Advisor to the Chairman for Media Issues at the Federal Communications Commission. Mr. Cody received his J.D. from *Catholic University's Columbus School of Law* and his B.A. from *Alfred University*. He is the author of *Protecting Privacy Over the Internet: Has the Time Come to Abandon Self-Regulation?*

Since joining the FCC in 2001, Mr. Cody has advised Chairman Powell on all of the FCC's major policy initiatives, with a specific focus on broadband Internet and media issues. On the broadcast ownership front, Mr. Cody was instrumental in putting together and executing the work plan for the FCC's Media Ownership Working Group and the biennial review proceeding. Prior to joining the Commission, Mr. Cody was an associate at the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC, in Washington, D.C.

MARK N. COOPER is Director of Research at the Consumer Federation of America and President of Citizens Research, an independent consulting firm. At the Consumer Federation he has responsibility for energy and telecommunications policy and analysis, as well as internal consulting duties for survey research and economic

analysis. Dr. Cooper received his Ph.D. from *Yale University* and is a former *Yale University* and Fulbright Fellow.

As a consultant, Dr. Cooper has provided expert testimony for over 250 cases on behalf of People's Counsels and citizen interveners before public utility commissions on telecommunications and electric utility matters in the United States and Canada. Dr. Cooper has also testified on regulatory, anti-trust and public policy issues dealing with health care, energy and telecommunications industries before Congress, the federal agencies and in the courts. Dr. Cooper has published numerous articles in trade and scholarly journals and is the author of two books, *THE TRANSFORMATION OF EGYPT* and *EQUITY AND ENERGY*.

W. KENNETH FERREE is currently the Chief of the Media Bureau at the Federal Communications Commission. Prior to Mr. Ferree's current appointment, he was the Chief of the Cable Services Bureau. Mr. Ferree received his J.D., *summa cum laude*, from *Georgetown University Law Center*, his M.B.A. from *San Jose State University*, and his B.A. from *Dartmouth College*. Prior to commencing law school, Mr. Ferree has also had experience as a financial analyst.

Before joining the FCC, Mr. Ferree was a partner in the Washington D.C. law firm, Goldberg, Godles, Wiener & Wright and has had extensive experience in dealing with telecommunications and information technology issues. Mr. Ferree served as Law Clerk to the Honorable Harry T. Edwards, Chief Judge of the U.S. Court of Appeals for the D.C. Circuit. He was an Associate in the Communications Group of the Washington law firm, Wilmer, Cutler & Pickering, before joining Goldberg, Godles, Wiener & Wright. For the past seven years, he has been an adjunct professor of law at *Georgetown University Law Center* in the areas of telecommunications law and regulation and professional responsibility.

WILLIAM FISHMAN is a consultant to the National Academy of Science's Computer Science and Telecommunications Board and has practiced communications and privacy law since 1965. He has worked at the Federal Communications Commission, NTIA, and in private practice. In addition, he has written law review articles on the Communications Act and on international privacy guidelines, including *Introduction to Transborder Data Flows, Property Rights, Reliance, and Retroactivity Under the Communications Act of 1934*, and *Should the United States Meet European Demands for Greater Protection of Personal Data?* Mr. Fishman taught Legal Writing as an adjunct

professor at *American University Washington College of Law*. Mr. Fishman received his J.D. from *Harvard University Law School* and his undergraduate degree from *Brown University*.

CHERYL A. LEANZA is the Deputy Director of the Media Access Project (MAP), a law firm that promotes the public's right to hear and be heard on electronic media. Ms. Leanza joined MAP in 1998 after more than two years at the Federal Communications Commission, where she assisted with the implementation of the Telecommunications Act of 1996. Ms. Leanza received a J.D., *cum laude*, from the *University of Michigan Law School* and also earned simultaneously a Masters of Public Policy from the *University of Michigan's Institute of Public Policy Studies*.

Ms. Leanza has taken leadership roles in the area of low power radio and cable broadband open Internet access and has been widely quoted in the trade and mainstream press on these issues. She has focused her work on the implementation of the Direct Broadcast Satellite (DBS) noncommunication set-aside, noncommercial radio license allocation, and public disclosure of long distance rates after FCC detariffed those services. Recently, Ms. Leanza was elected as a trustee of the Federal Communications Bar Association Foundation, and is a member of the American Constitution Society, the Women's Bar Association, and the Washington, D.C. Bar.

JEFFREY LUBBERS is a Fellow in Law and Government at *American University Washington College of Law*, where he has also served as a visiting professor. He teaches courses in Administrative Law, Federal Legal Institutions, and Alternative Dispute Resolution. He has also taught at the *University of Miami School of Law*, *Washington and Lee University School of Law*, and *Georgetown University Law Center*. Mr. Lubbers served recently as a consultant to various federal agencies, the ABA, the World Bank, and the Office of Economic Cooperation and Development (OECD). Mr. Lubbers received his J.D. from the *University of Chicago Law School* and his A.B. from *Cornell University*.

Prior to joining *American University*, he served in various positions with the Administrative Conference of the United States (ACUS), including from 1982-1995 as ACUS's Research Director. He worked with congressional committees and agencies to seek implementation of ACUS recommendations, and served as Team Leader for Vice President Gore's National Performance Review team on Improving Regulatory Systems in 1993. Mr. Lubbers co-authored ACUS's major 1992 study, *The Federal Administrative Judiciary* and was a contributing

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author of the first edition of the GUIDE TO FEDERAL AGENCY RULEMARKING and co-authored the just-published ADMINISTRATIVE PROCEDURE SOURCEBOOK (3d. ed). He also served as the editor for the ABA's *Developments in Administrative Law and Regulatory Practice* (1998-1999) and (1999-2000).

JANE E. MAGO has been Chief of the Office of Strategic Planning (OSP) at the Federal Communications Commission since its inception in March 2003. A 24-year veteran of the FCC, she has worked for three Commissioners in the following positions: Common Carrier Advisor to Anne P. Jones, Senior Advisor to Rachelle B. Chong, and Senior Advisor to then-Commissioner Michael Powell. Her work at the FCC has involved a variety of issues, including satellite licensing, common carrier regulations, broadcasting matters, international matters and wireless communications. Ms. Mago received her J.D., M.A. in Communications, and B.A. from the *State University of New York at Buffalo*.

Before joining OSP, Ms. Mago served as General Counsel in the Office of General Counsel, where she spent much of her career in the FCC. She served that office initially as a Litigation Attorney and later as Assistant General Counsel for Trial and Enforcement. Starting in January 2001, she served as Acting General Counsel until May of that year, when Chairman Powell named her permanent General Counsel. Prior to her service in OGC, Ms. Mago was Deputy Chief of the Enforcement Bureau, and Deputy Chief of the Land Mobile and Microwave Division in the former Private Radio Bureau. Ms. Mago began her career as a Staff Attorney in the FCC's Common Carrier Bureau.

THE HONORABLE SUSAN NESS served on the Federal Communications Commission from 1994 to 2001, and currently is a consultant and frequent lecturer on communications policy. She was Distinguished Visiting Professor of Communication at the *University of Pennsylvania's Annenberg School for Communication* during the 2001-2002 academic year, and also served as Director of Information and Society at the Annenberg Public Policy Center. She is a member of the board of directors of Adelphia Communications Corporation, LCC International, and the Library of American Broadcasting Foundation. Ms. Ness received her J.D., *cum laude*, from *Boston College Law School*, her M.B.A. from *The Wharton School of the University of Pennsylvania*, and a B.A. from *Douglass College*. She also served on the board of directors of WRSU Radio at *Rutgers University*.

During her FCC tenure, Commissioner Ness championed diversity of ownership in mass media as vital to a vibrant democracy. She played a leading role on spectrum policy issues, facilitating the deployment of new technologies, including PCS, digital television, digital satellite radio, and expansion of unlicensed wireless services. As chair of the Federal-State Joint Board on Universal Service, she fought for Internet access in the classroom. She also was the FCC's lead representative at many international treaty conferences and negotiations. Prior to her FCC appointment, Ms. Ness was a Vice President and Group Head of a national bank, lending to communications companies. Her national portfolio included cable, broadcast, mobile and fixed wireless, satellite, telecommunications, programming and publishing companies. She also served as assistant counsel to the Committee on Banking, Currency and Housing of the U.S. House of Representatives.

Ms. Ness has received many awards for her work, including: the International Radio and Television Society Foundation Achievement Award; the Digital Television Pioneer Award; *Electronic Media's* "12 to Watch in 1997;" the Annenberg School for Communication's Edward L. Palmer Award for leadership on children's educational television; the 2002 National Association of Broadcasters' Engineering and Technology Achievement Award; American Women in Radio and Television's first "Advocates" Award; the District of Columbia AWRT Leadership Award; and the Wireless Women's Network's first Leadership Award. *Rutgers University* inducted her into its Hall of Distinguished Alumni and *Douglass College* named her to the Douglass Society.

VICTORIA F. PHILLIPS is on the faculty of *American University Washington College of Law*, where she teaches communications and intellectual property law courses. She is also the Assistant Director of the law school's Glushko-Samuels Intellectual Property Law Clinic, a clinical education program promoting the public interest in copyright, patent, trademark communications, technology and related fields. Ms. Phillips received her J.D., *cum laude*, from *American University Washington College of Law* and her B.A. from *Smith College*. Her scholarly interests include media policy and intellectual property, particularly the promotion of the public interest and consumer rights in these fields.

Before joining the WCL faculty, Ms. Phillips was Chief of the Legal Branch of the Mass Media Bureau of the Federal Communications Commission and a counsel in the Office of General Counsel. While

at the FCC she worked on a wide range of mass media policy proceedings including those related to broadcast ownership, broadcast public interest obligations, digital television, children's television, public television and political programming. Before joining the FCC she served as the Assistant General Counsel of the National Endowment for the Humanities and practiced communications and intellectual property law at Wiley, Rein and Fielding in Washington, D.C. Ms. Phillips began her legal career clerking for U.S. District Judge Edward Northrop in Baltimore, Maryland.

MADELEINE MERCEDES PLASENCIA is a law professor at the *University of Tulsa College of Law*. She is an expert and scholar in the areas of constitutional and privacy law, broadcast media, and telecommunications and Internet law. She has published numerous articles and texts on these topics and is presently authoring a book on the impact of mass and digital media, *MASS MEDIA, THE INTERNET AND SOCIAL JUSTICE*, and an article, *The Miner's Canary on a Wire: Racing to Broadcast Justice*. Professor Plasencia received her J.D. from the *University of Pennsylvania School of Law* and her B.A. from *Cornell University*.

Prior to teaching, Professor Plasencia practiced law as an associate at the New York office of Fried, Frank, Harris, Shriver & Jacobson and served as a judicial law clerk to the Honorable James McGirr Kelly, United States District Court for the Eastern District of Pennsylvania in Philadelphia, Pennsylvania.

W. CURTISS PRIEST directs the Center for Information, Technology, & Society, previously a Program in the Center for Policy Alternatives at the *Massachusetts Institute of Technology*. Dr. Priest was described in a recent *Newsweek* article as one of the "Fifty People Who Mattered Most" on the Internet. As an *MIT* Research Affiliate in Comparative Media Studies, he regularly contributes to the Communications Forum as a discussant and moderator. Additionally, his 1972 RPI doctoral thesis discussed the societal benefits of the coming age of the Internet. A member of the American Economics Association since 1978, he was a Senior Economist at *MIT* in the 80's and testified before Congress on costs and benefits regarding regulatory decisions. In a study for the Department of Labor, he reported on legal issues regarding regulation, trade secrets and worker's suits in tort. He also conducted a study for the FCC on the technical quality of telecommunications and evaluated foundation

programs for the Kettering Foundation to improve communications between government and citizens.

In 1985, Dr. Priest contributed a framework to the Office of Technology's landmark report to Congress, *Intellectual Property Rights in an Age of Electronics and Information*. He was also Principal Investigator of a three-year NSF study entitled *Social and Ethical Consequences of Designs for Medical Information Systems*. Since 1994, as editor and publisher of the CITS *Media Watch*, he has written about significant trends and issues in intellectual property and media-concentration and cross-ownership. Dr. Priest also published an interview with U.S. Representative Markey entitled *E. Markey, E-Rate, and E-Culture*.

BEN SCOTT is a Legislative Fellow in the office of Congressman Bernie Sanders (I-VT). He handles media issues for Congressman Sanders, an outspoken Representative who has taken a leading role in the debate over the Federal Communications Commission's new media ownership rules. Concurrent with his service on Capitol Hill, he is a doctoral student in the *Institute of Communications Research* at the *University of Illinois at Urbana-Champaign*. Mr. Scott has also studied history and media at *Northwestern University* and the *University of Sussex*.

Mr. Scott is a specialist in United States media policy, journalism history, and the political economy of media systems. He is the author of several articles on these topics.

PETER TANNENWALD joined Irwin, Campbell, and Tannenwald in 1995, after a 27 year career with Arent, Fox, Kintner, Plotkin & Kahn. In addition to representing a broad range of radio and television broadcast stations and common carrier clients in both regulatory and transactional matters, he represents inventors of new technologies and equipment manufacturers and has been instrumental in the implementation of several new communications technologies. Mr. Tannenwald received his J.D. from *Harvard University Law School* and his undergraduate degree from *Brown University*.

Mr. Tannenwald helped to obtain FCC rule amendments to authorize wireless auditory assistance devices for hard-of-hearing persons, the use of AM broadcast stations for power utility load management, the transmission of visual captions on television broadcasts and the establishment of the Interactive Video and Data Service. He represented a publicly traded international and satellite

carrier from its inception to its merger with one of the nation's five largest interexchange carriers, handled licensing for the nation's public television satellite distribution system when it was first implemented, has represented major universities in connection with their broadcast, satellite, ITFS and telephone activities, and has worked on the establishment of a local telephone service competitor to one of the Bell Operating Companies.

MARGARET L. TOBEY is a partner in the Washington, D.C. office of Morrison & Foerster LLP, where she is a member of the firm's Communications Practice Group. Ms. Tobey served during 2001-2002 as President of the Federal Communications Bar Association (FCBA), which is the leading professional organization for communications attorneys, with over 3,400 members representing most of the fifty states, several territories and many foreign countries. Prior to Ms. Tobey's election as FCBA President, she served as Secretary of the organization. Ms. Tobey has practiced exclusively in the communications law area since 1982. Her practice encompasses a variety of domestic and international communications matters, including licensing, regulatory compliance, transactions, and litigation. Ms. Tobey received her J.D., with high distinction, from the *University of Iowa College of Law* and is a member of the Order of the Coif. She also received her M.A. and her B.A. from the *University of Iowa*.

Before joining Morrison & Foerster in 1997, Ms. Tobey was a partner with Akin, Gump, Strauss, Hauer & Feld, L.L.P. (1992-1997) and Sidley & Austin (1990-1992), where she also specialized in communications law. From 1981 to 1987, she was associated with Wilmer, Cutler & Pickering. She clerked for the Honorable Roger Robb of the U.S. Court of Appeals for the District of Columbia Circuit from 1980 to 1981.

ANITA L. WALLGREN is Counsel to the Washington, D.C. office of Sidley Austin Brown & Wood. Previously, she worked in Menlo Park, California, as a consultant to communications technology companies in the Bay Area. Through February 2001, Ms. Wallgren was Vice President of Business Affairs at Geocast Network Systems, Inc. which built a national data broadcasting platform. Ms. Wallgren received her J.D. from the *University of Michigan Law School* and received her undergraduate teaching degree in Journalism and Speech from the *University of Michigan*. Ms. Wallgren also attended *Kalamazoo College*.

Before joining Geocast in 1999, Ms. Wallgren was Legal Advisor to FCC Commissioner Susan Ness for three years, advising Commissioner Ness on cable television, mass media, and broadband issues. Prior to that, Ms. Wallgren was Vice President, Legal and Business Affairs for Sony Worldwide Networks, a radio syndication and web-based audio provider. She has also held executive positions with Great American Broadcasting and Taft Broadcasting in Cincinnati. During the 1980s, Ms. Wallgren was the principal mass media and intellectual property advisor to the Assistant Secretary of Commerce at the National Telecommunications and Information Administration. In addition, she was the manager of the first *Video Dialtone Report*, which made comprehensive policy recommendations regarding the cable industry, and has written policy papers, including *Cable Copyright Regulation in the Absence of the Must Carry Rules*.

STEPHEN J. WERMIEL is an associate professor at *American University Washington College of Law* and co-director of the Marshall-Brennan Fellowship Program. He teaches media law, constitutional law, and seminars on the United States Supreme Court and on education law. Professor Wermiel was an associate professor at *Georgia State University Law School* from 1992 to 1997. He was a Lee Distinguished Visiting Professor at *William and Mary Law School* in 1991-1992. During the 1997-1998 school year, he was a fellow at the Woodrow Wilson International Center for Scholars. From 1979 to 1991, Professor Wermiel was the Supreme Court correspondent for *The Wall Street Journal*. Professor Wermiel received his J.D. from *American University Washington College of Law* and his B.A. from *Tufts University*.

Professor Wermiel is currently at work on a biography of the late Supreme Court Justice William J. Brennan, Jr. He contributed to *A YEAR IN THE LIFE OF THE SUPREME COURT*, which won the ABA Silver Gavel Award. His articles have appeared in the *William and Mary Bill of Rights Journal*, *Constitutional Commentary*, *Law and Contemporary Problems*, *Journal of Supreme Court History*, *Northwestern University Law Review*, *Rutger's Women's Rights Law Reporter*, *Georgia State University Law Review*, *Saint Louis University Law Journal*, and the *Journal of Gender, Social Policy & the Law*. He has written and spoken about judicial independence, the relationship between the news media and the judiciary, judicial selection, civil liberties in times of national crisis, and other topics.