

Dennis Corbett

By: Laura Phillips

Dennis Corbett is a long time FCBA member, and I was excited to connect with him. He is in his sixth year as a member of Telecommunications Law Professionals PLLC, or TLP for short. The firm was founded by Carl Northrop and Mike Lazarus in 2011. Its membership also includes Jessica Gyllstrom and Gregg Skall, with Helen Disenhaus and Grif Johnson as of counsel. Dennis is proud to describe TLP as full service in the communications space, with clients running the gamut from wireless and wireline broadband providers to broadcasters, from companies specializing in infrastructure to those focused on emerging technology. As we spoke, it was plain that Dennis enjoys his work.



Q: What attracted you to the field of communications?

A: My father worked in my hometown of Cincinnati for 43 years for the Scripps Howard Broadcasting Company, predecessor to today's E.W. Scripps Company. He started as an on-air radio newscaster before the advent of TV, eventually morphing into the station's television commercial program director. So, I knew what a broadcast station was from an early age. In fact, I made an uncredited appearance at around age 5 as part of the on-camera audience for The Uncle Al Show at my Dad's station, WCPO (Uncle Al did a lot of host-selling back then for such products as Barq's Red Cream Soda, one of my favorites). Later, my brother Tim and I made a cameo appearance on an afternoon show hosted by local personality Bob Shreve. When Shreve activated his levitating necktie, we were duly impressed.

Later on, before attending Georgetown Law, I wrote for my college daily (including a sports column titled "Dennis Anyone?") and alumni magazine, which fostered an interest in the First Amendment. When Carl Ramey of the venerable firm of McKenna, Wilkinson & Kittner (later dissolved) came to interview during my 3L year, I was intrigued. After all, by then I knew my Dad's job responsibilities included consulting Washington regulatory counsel on compliance issues, and MWK represented the ABC Network and many other broadcasters of note at the

time. The skilled group of professionals at that firm (Norm Leventhal, Mike Senkowski, Randy May, Ken Keane, Jean Kiddoo, Tim Cooney, and Bob Kelly remain FCBA members today) cemented it for me, and here I am still, in the field.

Q: Have things unfolded in your career more or less the way you planned?

A: I wouldn't say I had a plan at the start. I only decided to try law school because journalism, especially my natural niche of sportscasting, promised too many career ladder rungs, too much living out of a suitcase. Law offered the chance for more geographic stability. That appealed to me, and it has worked out, as my residential addresses have remained DC-centric, from Alexandria to Chevy Chase, and now Watergate.

After my start in private practice, I took it year-by-year, and found that I never tired of the legal substance and the day-to-day routine. No surprise to the FCBA membership – I found the communications landscape to be ever-evolving, driven by creative entrepreneurs and engineers, generating a constant cycle of technological advances and attendant legal issues. Given the pace of change, it seems the law is in perpetual catch-up mode.

After MWK, I moved with Steve Lerman to join Norm Leventhal, Raul Rodriguez, and Meredith Senter to form what is now Lerman Senter. Another great group.

Over the years, I evolved from a broadcast attorney to more of a jack-of-all-trades. When I started, I avoided MWK's robust common carrier side. Telephone tariffs and the team pursuing licenses for purveyors of the newfangled cellular telephone technology were not then my thing. But through my ensuing work on enforcement matters and numerous broadcast construction permit comparative hearings conducted by ALJs (before auctions stole the show), I learned the satisfaction that comes from learning new substance and procedures.

This all accelerated when I moved to TLP, finding synergies with its talented team. I still enjoy representing broadcasters, but my plate has expanded significantly to include work centered on such matters as broadband, DAS, spectrum auctions, the 12 GHz Band, unmanned aerial vehicles, millimeter wave spectrum, and the FAA's concern with potential harmful interference in a variety of contexts.

One through line in my career is that I have remained comfortable in the smaller, specialized private firm environment. From the beginning, I have appreciated the opportunities such firms provide to work in a place "where everyone knows your name" and where direct client contact is coin of the realm. After all, I was not far removed from law school when MWK sent me, alone, to defend a comparative broadcast case deposition in Beaumont, Texas. You need to learn fast doing things like that.

Q: What's the most interesting or challenging thing that you've done in your current position?

A: I would say my enforcement-related work remains both interesting and challenging. Challenging because if the Commission sets its sails against an enforcement target, it is difficult to change the agency's course. Interesting because the Communications Act scheme demands (in non-carrier cases) that the government initiate a trial de novo to recover an unpaid forfeiture in the U.S.

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District Court where the target's principal place of business is located, a very different procedural pathway than a Section 402(a) petition or 402(b) appeal filed with a Circuit Court, where the government enjoys *Chevron* deference.

These current endeavors come against the background of the extensive work Steve Lerman and I did in the 80s and 90s defending, among others, Howard Stern's employer against FCC enforcement proceedings generated by indecency complaints that were common in that golden age of broadcast shock jocks. Let's just say that FCC Commissioners were not amused by Howard. But he had a talent for dancing around the vague indecency zone (I refuse to call it a well-defined "line") through obliqueness, innuendo, and double entendre that gave us plenty of ammunition with which to fight back.

Q: Is there something interesting or someone who surprised or impressed you during your career and why?

A: Throughout my career, I've been impressed by those in our membership who are able to address complicated fact patterns and issues in a simplified manner that is easy to understand. This talent manifests itself in both pleadings and oral advocacy. I can remember sitting in a D.C. Circuit courtroom as a young associate listening to an oral argument presented by a veteran lawyer, Roger Wollenberg (whom research reveals to be a former FCBA President), of the firm then known as Wilmer, Cutler & Pickering. I had read the briefs, but left the Court with a markedly enhanced understanding of the issues after listening. Roger had that knack of distilling things down to their essence.

I've observed this ability in others over time; I won't presume to try to cite them here, a fool's errand and a sure way to alienate those not named. But you know who you are.

Q: What do you enjoy reading?

A: Periodicals. I discuss selected articles from *The New Yorker* monthly with a varied group at Watergate.

Short stories. When my better half Cheryl and I are at the Chautauqua Institution in western New York for several weeks in the summer, I discuss short story selections in a Saturday morning "class." It's amazing to discover how many different ways there are to interpret the same text.

Artist biographies, currently *Jackson Pollock* by Steven Naifeh and Gregory White Smith.

Random things like *Zen and the Art of Motorcycle Maintenance*. I had avoided it for years, as motorcycle maintenance is far from my wheelhouse. But that book is about so much more.

Q: Can you share perspective on the pitfalls to avoid or other career advice for those who are just getting started in the communications field?

A: Take the time to understand whatever work project you are given and be sure you can explain/stand behind every component of your results. Both of these require that you be willing to ask questions without concern for appearances.

Don't be afraid to change your work address if your gut tells you it will advance your development and/or help you meet your goals. It's your life we're talking about, no one else's.

Q: What's something interesting about you people are not generally aware of that you're willing to share?

A: I collect art. I started in earnest buying realistic pieces I would inspect in person at a local auction house, Sloans & Kenyon in Bethesda. They were primarily drawn from the massive personal art estate of Phil Desind, a Bethesda gallerist whom I knew. I found I could purchase high quality works for

a fraction of what Phil would have sold them for at his gallery.

From there, I migrated to mostly abstract work available via the Internet, where I participated (still do) in online auctions. Most people would not consider buying artwork they have not seen in person. I'm way around that bend in the collecting road. Virtually every time, if I like a work in the form of a digital image, it's better when I see it in person. One note of caution: Like our clients when they negotiate potential business deals, you have to be cost-disciplined and willing to walk away. Auction prices can get irrational when at least two bidders really, really want the same thing (a phenomenon with obvious potential application to spectrum auctions).

I particularly appreciate work that melds realism and abstraction (for a classic example, Google "Arthur Dove" images) and American abstract expressionism of the mid-20th Century (Pollock, Mark Rothko, Willem de Kooning, Franz Kline, Philip Guston, etc.). One fascinating aspect of the latter group's work to me is how their images, created not long after the end of World War II and the deployment of nuclear weapons, "blew up" the representational work that had dominated the 1930s into any number of abstract images, from Pollock's all-over drip paintings to Adolph Gottlieb's so-called "burst" works, to many other formulations of many other artists. From the collector perspective, I find it of great interest that many of these now highly regarded, prolific artists could not sell their work when they first made it. It was too different, too challenging. But immediate popular reactions are not the ultimate test. I find that great art rewards repeated viewing; lesser work tends to disappear over time.

Q: How has your life changed as a result of COVID-19?

A: With no epidemiologists in my immediate circle, I had no conception that the severe restrictions of the last two

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years plus were even a possibility. And I'm of course aghast that so many, including more than one million Americans, have lost their lives to this virus.

Once the pandemic hit, at the practical level for me, as for everyone else, there was the inevitable, long string of event cancellations, the overnight disappearance of in-person interactions, and a lot less travel, beginning with the loss of my walk to and from the office (TLP is in the process of bringing office life back in phases). Since Cheryl is a nurse who needs to go into the hospital rather than

work virtually, and my adult children live in Austin, Texas, I spend a lot of time with Gus the Cat. He's a solid enough colleague, though short on ideas and long on naps.

Q: How long have you been an FCBA member and what to you is the value of FCBA membership?

A: I'm not sure of the precise date I joined, but let's round it to 40 years. That's a lot of FCBA Presidents (including you), Chairman's Dinners (Dennis Patrick's engaging humor at the inaugural event helped put it on the permanent calendar), and annual Seminars (The Homestead is a personal favorite). Over

the years, the FCBA has proven to be consistently collegial, proactive, and an essential source of learning on any number of diverse subjects.

In my current post as the FCBA's representative in the American Bar Association's House of Delegates, I get to see first-hand how much work Kerry, her team, and the Executive Committee put into the Association. The FCBA's success is a direct result of that considerable effort.

Interested in learning more about another FCBA member? If there is a member you'd like to know better, contact Laura Phillips at laura.phillips@faegredrinker.com.

The FCLJ is Looking for Articles

The *Federal Communications Law Journal* (FCLJ), the official academic journal of the FCBA, is hosted by The George Washington University Law School. It has long been an important source of legal scholarship on communications issues, and the FCBA is proud to offer the journal as a benefit to our members.

The *Federal Communications Law Journal* (FCLJ) editorial board at The George Washington University Law School is seeking article submissions for potential publication in the upcoming issues of the FCLJ. Interested members may submit articles to the Senior Articles Editor, Andrew Magloughlin (fcjarticles@law.gwu.edu). Articles may also be submitted through ExpressO or Scholastica. For general inquiries about the FCLJ, please contact the Editor-in-Chief, Merrill Weber (fcj@law.gwu.edu).

FCBA Unplugged

FCBA UNPLUGGED is a podcast series for and about our beloved FCBA community. FCBA Unplugged features a series of fun, informal conversations between host Kelly Donohue, a Public Policy Manager at Facebook and co-chair of the FCBA's Membership and Marketing Committee, and you, our FCBA members! While it's certainly no proxy for in-person events, it's a fun opportunity to collectively check in with our FCBA friends and family while we are all working from home in our pajama bottoms, and maybe discover a few hidden talents along the way.



ABOUT OUR LATEST PODCAST! In case you missed it, our latest episode features **FCC CHAIRWOMAN JESSICA ROSENWORCEL**, who talks about being the first permanent female Chair (yay!), creating opportunities for women in tech, and her love of rescue dogs (except when they are counter surfing!). You can check out the episode here: <https://www.buzzsprout.com/1458427>.

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CAN I BE ON THE SHOW? If you have ideas for topics or guests, or would like to be on the show yourself, send Kelly an email at kellydonohue@fb.com. The suggestion box is open!