



→ Brian D. Weimer

Partner

2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, DC 20006-6801

T: +1.202.747.1930

F: +1.202.747.3818

bweimer@sheppardmullin.com

Brian Weimer is a corporate partner in the firm's Washington, D.C. office and Leader of the firm's Telecom Team. Brian is recognized by *Chambers* and is consistently selected for inclusion each year in *Best Lawyers in America* in the Communications Law category.

Areas of Practice

Brian provides transactional and regulatory advice to clients in the telecommunications industry, with particular emphasis on satellite, wireless and media companies. He acts as corporate counsel to telecommunications companies in M&A and financing matters and also advises on Federal Communications Commission (FCC) regulatory issues presented by these transactions.

Brian represents FCC licensees on a wide range of issues at the FCC, including rulemaking, licensing and enforcement matters. He also advises foreign and domestic clients on international telecommunications issues such as satellite landing rights, cross-border M&A transactions and the Committee on Foreign Investment in the U.S. (CFIUS).

Brian frequently speaks and writes on telecommunications-related matters at industry events. He is also actively involved in the Federal Communications Bar Association, where he has served as co-chair of the International Telecommunications Committee, the Transactional Practice Committee and the Wireless Committee. He is also a member of the Washington Space Business Roundtable (WSBR).

Honors

Washington, D.C. Super Lawyer, *Super Lawyers*, 2018-2021

Recognized Practitioner, Telecommunications, *Chambers USA*, 2017-2021

Recommended Lawyer, Telecoms and Broadcast (regulatory and transactional), *Legal 500 US*, 2010-2021

Best Lawyer in America, *Best Lawyers*, 2014-2022

Legal Elite, *SmartCEO Magazine*, 2011

Experience

Representative Matters

Privacy

- Regulatory advice to numerous companies (including Rite Aid, CVS, Stryker and others) concerning compliance with the TCPA.

Satellite

- *SES*: Primary FCC counsel to SES in C-band transaction, one of the FCC's most important proceedings in recent years.
- *Orbital Sidekick*. Corporate and regulatory advice to earth observation satellite service provider Orbital Sidekick.
- *Global IP*. ITU-related advice to Global IP in connection with rights to an orbital slot capable of serving Africa.
- Corporate and regulatory advice to global satellite operator Omnispace.
- Corporate and regulatory advice to OneWeb, the latest satellite venture from Greg Wyler (founder of O3b).
- Regulatory and litigation counsel to KTSAT of South Korea in connection with a dispute over rights to an orbital slot and satellite over Asia.
- *SES Government Solutions*. Served as corporate and government contracts counsel to SES GS in connection with a hosted payload agreement.
- *GeoOptics*. Regulatory and government contracts advice to earth observation company GeoOptics.
- *Hispasat*. Corporate and regulatory advice to European-based investor in connection with the disposition of a large block of stock in Hispasat.
- *Global Eagle*. Corporate advice to Global Eagle in connection with the lease of capacity from a global satellite operator.
- *Thuraya*. Corporate, international trade, and regulatory advice to Thuraya in connection with various matters.
- *AsiaSat*. Served as corporate, finance and export control counsel to AsiaSat in connection with a hosted payload agreement with a US-based company.
- *Iridium*. Served as corporate and government contracts counsel to Iridium and Aireon in connection with a hosted payload agreement.
- *Satmex*. Served as corporate and government contracts counsel to Satmex in connection with a hosted payload agreement.
- *Eutelsat America*. Regulatory counsel to Eutelsat America Corp. with respect to the E172A satellite and related FCC matters.
- *EchoStar*. Served as corporate and FCC counsel to EchoStar in connection with a potential M&A transaction.
- *MLB Network*. Provided corporate advice to MLB Network in connection with a transponder lease agreement.
- *TerreStar*. Served as special FCC and satellite industry counsel to the Committee of Unsecured Creditors of TerreStar.
- *GE Satellite*. Served as FCC and cross-border regulatory counsel to General Electric in the sale of VSAT network operator.
- *SES World Skies*. Served as FCC regulatory counsel to satellite company SES World Skies.
- *O3b Limited*. Served as FCC regulatory counsel to satellite company O3b Limited.

- *Intelsat*. Served as FCC and CFIUS counsel to European private equity group BC Partners in its acquisition of a controlling stake in Intelsat, the world's largest fixed satellite service provider.
- *GE Satellite*. Provided corporate and regulatory advice to General Electric in connection with its acquisition of satellite assets from SES.
- *DirecTV*. Provided FCC regulatory advice to News Corp in connection with its acquisition of DirecTV from Hughes.
- *Inmarsat*. Provided FCC regulatory advice to Apollo Management in connection with its bid for Inmarsat, the world's largest mobile satellite service provider.
- *COMSAT*. Provided corporate and FCC regulatory advice to COMSAT in connection with the sale of the company to Lockheed Martin.
- *Gilat Satellite Networks Limited*. Provided corporate and regulatory counsel to Gilat Satellite Networks Limited in connection with its acquisition of Spacenet from General Electric and served as primary outside counsel to Spacenet on FCC regulatory issues for many years.
- *Telenor*. Provided corporate and FCC regulatory advice to Caprock Communications in connection with its bid for Telenor Satellite Services.
- *Sirius Satellite Radio*. Provided advice to Sirius Satellite Radio in connection with FCC regulatory issues presented by a new satellite design.
- *Protostar*. Provided advice to an investor in connection with a high-yield debt offering by Protostar, a US-based company seeking to provide direct-to-home satellite service in Asia and provided follow-on advice to bondholders concerning priority rights to an orbital slot occupied by Protostar in the Asia-Pacific region.
- *Celsat America*. Provided FCC regulatory advice to Celsat America, Inc. in connection with its successful bid to obtain an S-band license from the FCC to operate a mobile satellite service system.
- *ICO Global*. Provided advice to an investor in connection with an investment in ICO Global, an S-band mobile satellite service system backed by cellular pioneer Craig McCaw.
- *Virtual Geo*. Provided advice to a private equity group in connection with an investment in Virtual Geo, a company proposing a unique satellite architecture allowing it to operate in conventional Ku-band frequencies without causing interference to incumbent Ku-band systems operating in geostationary earth orbit.
- *WorldSpace*. Provided advice to a private equity group in connection with an investment in WorldSpace, Inc., a satellite digital audio radio service system licensed to provide satellite radio outside the U.S.
- *StarQuest*. Provided advice to start-up satellite company StarQuest in connection with obtaining an orbital slot to serve the U.S. market.

CFIUS

- CFIUS advice to Ness in connection with the sale of the company to HNA Group.
- CFIUS advice to public company in multibillion dollar sale of the company to a Japanese entity.
- FCC and CFIUS advice to telecom group in connection with the acquisition of businesses.
- CFIUS advice to global satellite operator in connection with foreign investment into US-based subsidiary.
- CFIUS advice to Symantec in connection with the sale of the Veritas information management business to the Carlyle Group, an \$8 billion transaction.

- Served as CFIUS and FCC counsel to Providence Equity Partners in its acquisition of SRA.
- Served as CFIUS counsel to Keane International in its acquisition by NTT DATA Corporation.
- Served as FCC and CFIUS counsel to European private equity group BC Partners connection with the \$5 billion leveraged buyout of Intelsat, the world's largest fixed satellite service provider.
- FCC and CFIUS advice to Apollo Global Management in connection with the acquisition of a satellite company.

Wireless

- *Susan Uecker, Receiver*. Corporate and regulatory advice to Susan Uecker in her role as court-appointed Receiver over the assets of entities formerly controlled by Warren Havens.
- *Xsight*. Served as FCC counsel to Xsight Systems Ltd. in a rulemaking proceeding concerning the 76-77 GHz frequency range.
- *SDG&E*. Served as corporate and FCC counsel to San Diego Gas & Electric in the acquisition of wireless spectrum from NextWave for a Smart Grid project. Ongoing FCC regulatory advice to the company.
- *Suncom*. Provided corporate and FCC regulatory advice to Highland Capital Management in connection with its acquisition of a significant stake in Suncom Wireless and the subsequent sale of the company to T-Mobile.
- *Newcomm*. Provided corporate and FCC regulatory advice to a private equity fund concerning the acquisition of Newcomm Wireless, a Puerto Rican wireless provider.
- *Clearwire*. Provided FCC regulatory advice to Wall Street investment bank concerning a potential stake in broadband provider Clearwire Communications.
- *Duke Energy*. Provided FCC regulatory advice to Duke Energy concerning the transfer of control of wireless licenses held by Cinergy in connection with Duke's acquisition of the company.
- *Sempra Energy*. Provided FCC regulatory advice to Sempra Energy concerning the transfer of control of wireless licenses held by Energysouth, Inc. in connection with Sempra's acquisition of the company.
- Represented two Asian equipment manufacturers in an FCC investigation concerning potential interference caused by radio frequency transmitters in satellite radio consumer devices.
- Provided strategic and FCC regulatory advice to Wall Street investment bank concerning the FCC's auction no. 66 for advanced wireless services spectrum.
- Provided advice to a private equity group and a satellite company concerning FCC requirements to relocate broadcast auxiliary service licensees to new spectrum.

Telecom

- *Astra Capital Management*. Regulatory advice to Astra Capital Management in connection with the acquisition or disposition of multiple telecom operations.
- *I Squared Capital*. Regulatory advice to I Squared Capital in connection with a \$1 billion+ acquisition of a telecom operator in Hong Kong with operations in the U.S.

Broadcast and Media

- *Charter Communications*. Corporate advice to Charter in connection with M&A and commercial transactions.

- *TVB*. Commercial advice to TVB in connection with carriage agreements for the distribution of programming on MVPDs in the US.
- *I.Am*. FCC regulatory counsel to Will.I.Am from the Black-Eyed Peas in connection with a new consumer product.
- *Samsung*. Advice to Samsung concerning the FCC's new closed captioning requirements for IP-delivered content.
- *Rio 2016*. Representation of the Rio 2016 Olympic Organizing Committee concerning broadcast distribution issues.
- *TV5*. Corporate and FCC regulatory counsel to Pilipinas Global Network (TV5) in connection with the negotiation of an International Affiliation Agreement with DISH Networks.
- *Halogen TV*. Representation of Halogen TV in connection with a potential TV acquisition.
- *CineMaya Media*. Corporate and FCC regulatory advice to CineMaya Media, Inc. concerning a radio project.
- *Pappas*. Served as FCC regulatory counsel to Comerica Bank in connection with the bankruptcy of Pappas Telecasting.
- *Bank of America*. Served as FCC regulatory counsel to Bank of America in connection with the financing of a TV station acquisition in Los Angeles.
- *Lincoln Financial Group*. Served as corporate and FCC regulatory counsel to Lincoln Financial Group in the sale of its radio properties.
- *Malara Broadcasting Group*. Served as corporate and FCC regulatory counsel to Serengeti Asset Management in connection with refinancing a loan to Malara Broadcasting Group, which had "virtual duopolies" with Granite Broadcasting in two markets.
- *White Knight Broadcasting*. Provided corporate and regulatory advice to a private equity group concerning its investment in television broadcaster Communications Corporation of America, which had "virtual duopolies" with White Knight Broadcasting in several markets.
- *Radio Unica*. Provided corporate and regulatory advice to Radio Unica from its inception in 1996 through its sale to Multicultural Broadcasting in 2004. Engagements included serving as corporate and FCC regulatory counsel on the acquisition of AM radio stations in thirteen separate markets and in connection with the company's initial public offering of stock in 1999 and providing ongoing regulatory advice to the company in connection with all aspects of its radio business from 1996 through 2004.
- *Univision Communications*. Provided FCC regulatory advice to the private equity consortium of Carlyle Group, Kohlberg, Kravis & Roberts (KKR) and Bain Capital in connection with its bid for Univision Communications.
- *Border Media Partners*. Provided FCC regulatory advice to Border Media Partners in connection with its radio station properties in the South Texas border region. Also provided advice to the company concerning a talent contract.
- *Zavaletta Broadcasting Group*. Provided corporate and FCC regulatory advice to Zavaletta Broadcasting Group in connection with its television station properties in the South Texas border region.
- *Clear Channel Communications*. Provided FCC regulatory advice to KKR in connection with its bid for Clear Channel Communications.
- *Tribune Broadcasting*. Provided FCC regulatory advice to Carlyle Group in connection with its bid for Tribune Broadcasting.

- *FOX*. Provided FCC regulatory advice to the FOX television network and Fox Cable in connection with numerous FCC rulemaking and enforcement proceedings, including defending the FOX broadcast network at the FCC in the Married by America indecency case.
- *Beasley Broadcast Group*. Provided corporate and regulatory advice to Beasley Broadcast Group, Inc. on the acquisition of radio stations from a national radio broadcaster.
- *Sound Media*. Provided corporate and regulatory advice to Sound Media, Inc., concerning the acquisition of radio stations from Citadel Broadcasting.
- *Gray Television*. Provided corporate advice to Gray Television in connection with the sale of a television station. Regulatory FCC advice concerning online initiatives by the company.
- *Frank Washington*. Provided corporate and FCC regulatory advice to Frank Washington in connection with the acquisition and operation of a television station in Sacramento, California. Also provided corporate and regulatory advice to Mr. Washington in connection with numerous broadcast-related investments, including the sale of radio station WJBR, Wilmington, Delaware.
- *Jewell Television*. Served as corporate and FCC regulatory counsel to Jewell Television in the sale of TV station KLST to Nexstar Broadcasting.
- *ION Media*. Provided FCC regulatory advice to an investment bank concerning the acquisition of ION Media.
- *CBS, NBC and FOX*. Jointly represented CBS, NBC and FOX in the FCC's 2003 effort to relax the media ownership rules.

Articles

- New Rule Expands FCC Jurisdiction Related To Foreign Media
Law360, 09.27.2018
- Why CFIUS Intervened In Broadcom's Bid For Qualcomm
Law360, 03.20.2018
- "Key Considerations in Hosted Payloads," *Satellite Finance*, November 14, 2016
- "Complying with Laws that Affect Domestic and International Telecommunications Businesses," *Inside the Minds: Recent Developments in Telecommunications Law*, (c) 2013 Aspatore Books from Thomson Reuters Westlaw. Reproduced by permission. To purchase the book and to see the full chapter, please click here.
- "Loosening Satellite Export Controls," *Law360*, May 4, 2012
- "Key Details of CFIUS 2010 Annual Report," *The Deal*, January 25, 2012
- "Foreign Investment in China's Telecommunications Industry: Current Opportunities, Potential Barriers, and Future Prospects," presented at the 18th Biennial Conference of the International Telecommunications Society, June 28, 2010
- Periodic contributor to *Via Satellite* magazine, including *Twenty Years of Via Satellite: How the Commercial Satellite Industry Recaptured Public Attention*, 2006
- *The Year in Wireless Telecommunications 2005-2006*, 24th Annual Institute on Telecommunications Policy & Regulation, 2006
- *Legal Opinions in Corporate Transactions Affected by FCC Regulation: An Economic Approach*, 51 *Federal Communications Law Journal* 773, 1999

FCC Law Blog Posts

- "Captain's Blog: Fly Me To The Moon," October 14, 2021
- "UPDATE: National Security Meets Teenage Dance Battles: U.S. Increases Pressure on ByteDance Sale of TikTok," August 17, 2020
- "National Security Meets Teenage Dance Battles: Trump Issues Executive Orders Impacting TikTok and WeChat Business in the U.S." August 7, 2020
- "Too Much Time on Their Hands – New Executive Order Limits Time Period for Team Telecom Reviews," April 7, 2020
- "Clear for More Takeoffs: Now is the Time to Have Your Voice Heard on New Satellite and Launch Regulations," March 19, 2019
- "Commerce Prioritizes Earth Selfies as It Seeks to Improve Remote Sensing Licensing," July 17, 2018
- "Once Bitten, Twice Shy: FCC Revisits Its Telemarketing Regulations In Light Of The DC Circuit's Decision Striking Down Core Requirements," June 1, 2018
- "FCC Sets Sights on China," May 7, 2018
- "Chips on Their Shoulders: CFIUS Intervenes in Broadcom's Hostile Takeover Bid for Qualcomm," March 8, 2017
- "FCC Proposes Expedited Treatment For New Technologies," February 28, 2018
- "Tracking Trends in CFIUS Review Process Based on Recently Released 2015 Annual Report," October 13, 2017
- "TCPA Update: FCC Seeks Guidance on Proposed Robocall-Blocking Rule," May 19, 2017
- "FCC Liberalizes Rules for Foreign Investment in U.S. Broadcast Licensees," October 17, 2016
- "Hailing on All Frequencies: The FCC Releases the Spectrum Frontiers Order," July 19, 2016
- "EXIM Bank Back in Business," December 9, 2015
- "Cyberspace Oddity: The FCC Regulates Internet Services as Common Carrier Telecommunications Services, 'Protecting and Promoting the Open Internet,'" February 27, 2015.
- "Turnin' Havana to Atlanta: The White House Opens Doors for U.S. Telecommunications Investment in Cuba and Latin America," December 19, 2014
- "The FCC Takes a Seat at the Cyber-Regulation Table," December 1, 2014
- "Shedding Light on CFIUS: Appeals Court Holds That CFIUS Review Lacks Constitutional Due Process," July 18, 2014
- "Supreme Court Sides with Broadcasters in Aereo Decision," June 30, 2014
- "Once More Unto the Breach: the FCC Calls for Comments on Revamping Net Neutrality Regulations," May 16, 2014
- "Regulatory Reminder: Annual CVAA Compliance Certifications due April 1," February 25, 2014
- "Auction 96 - FCC Prepares for Upcoming H Block Spectrum Auction," August 28, 2013
- "FCC Considers Proposal To Lift 25% Cap On Indirect Foreign Investment In Broadcast Licensees," April 22, 2013

- "Regulatory Reminder: CVAA Compliance Certifications due April 1," March 26, 2013
- "FCC Reminds Advanced Communications Services Providers and Equipment Manufacturers of CVAA Recordkeeping Obligations and Compliance Certification," February 12, 2013
- "FCC's New Closed Captioning Rules Kick Into Gear," September 7, 2012
- "Proposed Easing of Satellite Export Controls Could Benefit U.S. Satellite Industry," May 1, 2012
- "FCC Proposes to Grant DISH's Wish," March 23, 2012
- "CFIUS Submits Annual Report to Congress," January 30, 2012
- "FCC Approves Controversial Net Neutrality Rules," January 4, 2011
- "FCC And FDA Focused On Convergence Of Communications And Medical Systems," August 4, 2010
- "FCC Loses Net Neutrality Suit," April 7, 2010
- "FCC Initiates Net Neutrality Rulemaking," November 2, 2009

Global Trade Law Blog Posts

- "CFIUS Proposes Rules to Implement FIRRMA," September 20, 2019
- "FIRRMA Takes Form as CFIUS Enacts a New Pilot Program Targeting 'Critical Technologies,'" October 11, 2018
- "FCC's Foreign Media Reporting Requirements: Extension of FARA or New Domain?," September 20, 2018

Healthcare Law Blog

- "FCC Announces \$200 Million Telehealth Fund In Response to the COVID-19 Pandemic," April 9, 2020
- "FCC Now Accepting COVID-19 Telehealth Program Applications," April 13, 2020

Real Estate, Land Use & Environmental Law Blog Posts

- "Proposed Rule Expands CFIUS Jurisdiction to Real Estate Investments That Pose a National Security Risk; Could Have Major Impacts on Dealmaking," September 25, 2019

Books

The CFIUS Book: Second Edition

05.2020

Media Mentions

With LEO orbit crowding, absent regulators may not be industry's best friend
Space Intel Report, 10.27.2021

Intelsat, SES, Telesat Pick Faster C-Band Clearing; Others Seen Doing Same
Communications Daily, 05.26.2020

Telecommunications Group Of The Year: Sheppard Mullin
Law360, 01.22.2020

The First Illegal Satellite Launch Came With a \$900,000 Penalty
Quartz, 12.20.2018

Law360: DC Circ. Partly Strikes Down FCC's TCPA Expansion
03.16.2018

Speaking Engagements

Speaker, "72nd International Astronautical Congress GNF Session: "The Mega-Constellation Ecosystem: What industrial and regulatory elements are necessary for a thriving market?" October 26, 2021, Dubai, UAE

Speaker, "CFIUS and Team Telecom: The New Frontier Under FIRRMA", February 19, 2020, Washington, DC

Panelist, "We Found a Breach During Due Diligence - Now What Do We Do?" M&A Conference at Wharton San Francisco, May 16, 2018

Moderator, "Angels, Incubators, and Early Stage Venture Capital," Space 2.0 Conference, Silicon Valley, California, April 26, 2017

Moderator, "Legal Mechanisms for Facilitating Space Collaboration," Fifth Annual Space and Satellite Regulatory Colloquium, Washington, D.C., October 20, 2016

Panelist, "Emergent Space Systems: Regulatory Considerations," SSPI's Emergent Technologies Discussion, Washington, D.C., June 2016

Guest Speaker, Fourth Annual Space and Satellite Regulatory Colloquium, Washington, D.C., October 2015

Panelist, "Disruption in Space and Telecommunication," American Bar Association's Forum on Air and Space Law, Washington, D.C., June 2013

Moderator, "Tribal Telecommunications Hurdles and Opportunities," NAFOA Conference, New Orleans, Louisiana, March 2012

Panelist, "The Battle Over Spectrum and Its Implications for the Future of MSS Networks," Satellite 2012 Conference, Washington, D.C., March 2012

George Chamberlin Interview with Michael Altschul, Brian Weimer, *San Diego Daily Transcript*, *San Diego Source*, San Diego, California, October 2011

Panelist, "Opportunities and Threats for a New Decade," Satellite 2010 Conference, Washington, D.C., March 2010

Moderator, "Satellites, Broadcasting and Cable TV," Satellite 2007 Conference, Washington, D.C., February 2007

Panelist, "Hybrid Wireless Technologies," International Satellite Conference and Expo, San Diego, California, June 2006

Moderator, "Managing Risk in a Risky Business," Satellite 2006 Conference, Washington, D.C., February 2006

Panelist, "Mobile Satellite: New Systems, New Opportunities," Satellite 2005 Conference, Washington, D.C., March 2005

Guest Speaker, "Media Ownership and the Information Battlefield," National Public Radio's WBUR, Boston, Massachusetts, January 2003

Panelist, "Telecom Deals: M&A, Regulatory and Financing Issues," Practising Law Institute, New York, New York, July 2000

Events

72nd International Astronautical Congress

IAF GNF Session: "The Mega-Constellation Ecosystem: What industrial and regulatory elements are necessary for a thriving market?"

Dubai, United Arab Emirates, 10.26.2021

Reception during World Satellite Business Week

Nomad's Paris, 09.10.2019

Connectivity Business Investment Conference

June 26-27, 2019

2019 Satellite Reception

Baby Wale - Washington D.C., 05.08.2019

Satellite Reception in Paris

Daroco, Paris

09.11.2018

Satellite 2018 Reception

Washington, D.C.

03.14.2018

Satellite 2017 Reception

Washington, DC, 03.08.2017

Hold the Phone: Understanding the FCC's New TCPA Ruling

Sheppard Mullin's TCPA Webinar Series

08.06.2015

Lunch With Your Government Contracts Lawyer

Satellite Export Control Update

Sheppard Mullin Washington, D.C. office, 03.20.2013

Podcasts & Webinars

Nota Bene Episode 72: Space Law: License, Launch, Finance, Insurance, and Responsible Space Stewardship
with Brian Weimer
03.11.2020

Practices

Corporate
Mergers and Acquisitions
Government Contracts, Investigations & International Trade
CFIUS: Foreign Investment in the U.S.
International Reach
China
International Arbitration
Israel
Japan
Korea
International Arbitration
Telephone Consumer Protection Act (TCPA)

Industries

CFIUS: Foreign Investment in the U.S.
Space & Satellite
Telecom

Education

J.D., Georgetown University Law Center, 1995, *Olin Fellow in Law & Economics*
B.A., University of Chicago, 1990, *Phi Beta Kappa*

Admissions

Delaware
Maryland
District of Columbia