

# Hearings on Competition and Consumer Protection in the 21st Century

An FTC Event | Constitution Center | March 20, 2019



## SPEAKER BIOS

### Welcome and Introductory Remarks

**Alden F. Abbott** is the General Counsel of the FTC. He has also worked in other capacities at the FTC, Department of Commerce, and Department of Justice. From 1991 to 2018, he was an Adjunct Professor at Antonin Scalia Law School, George Mason University.

### Technological Developments in Broadband Networking

**kc claffy** is founder and director of the Center for Applied Internet Data Analysis based at UC San Diego's Supercomputing Center, and an Adjunct Professor in the Computer Science and Engineering Department at University of California, San Diego. claffy has been studying various Internet research topics since 1990, spanning topology, routing, traffic, security, architecture, economics, and policy. In 1993 she co-authored her first paper on proposed traffic management approaches to deal with congestion, in a paper entitled Mitigating the Coming Internet Crunch. She established her research career, and a leading organization, in pursuit of rigorous analysis of the best available empirical data to inform our understanding of the Internet as a complex system.

### Technological Developments in Broadband Markets

**Nick Feamster** is a professor in the Computer Science Department at Princeton University and the Deputy Director of the Princeton University Center for Information Technology Policy (CITP). His research focuses on many aspects of computer networking and networked systems, with an emphasis on network operations, network security, and censorship-resistant communication systems. Before joining the faculty at Princeton, he was a professor in the School of Computer Science at Georgia Tech. He would like to acknowledge the support of the National Science Foundation.

### Panel 1: Speed Advertising Claims, Substantiation, and Section 5

**Laura Brett** is the Director of the National Advertising Division (NAD), Advertising Self-Regulatory Council. While at NAD, Brett's focus has included reviewing support for telecommunications companies' speed, coverage, reliability and pricing claims including evaluating the reliability of both traditional and crowd sourced data to substantiate claims about service. Prior to joining NAD, Brett specialized in litigation matters in her own private practice and at Willkie Farr & Gallagher.

**David Clark** is a Senior Research Scientist at the MIT Computer Science and Artificial Intelligence Laboratory. He is technical director of the MIT Internet Policy Research Initiative. Since the mid-70s, Clark has been instrumental in the development of the Internet, acting as Chief Protocol Architect from 1981 to 1989 and chairing the Internet Activities Board from 1981 to 1989. His current research looks at re-definition of the architectural underpinnings of the Internet, and the relation of technology and architecture to economic, societal, and policy considerations.

**Nick Feamster** is a professor in the Computer Science Department at Princeton University and the Deputy Director of the Princeton University Center for Information Technology Policy. His research focuses on many aspects of computer networking and networked systems, with an emphasis on network operations, network security, and censorship-resistant communication systems. Before joining the faculty at Princeton, he was a professor in the School of Computer Science at Georgia Tech. He would like to acknowledge the support of the National Science Foundation.

**Debra J. Ringold** is JELD-WEN Professor of Free Enterprise and Dean Emeritus, Atkinson Graduate School of Management, Willamette University. She teaches courses in marketing research, communications, strategy, and public policy. Her research has appeared in the *Journal of Marketing*, *Journal of Public Policy and Marketing*, *Journal of Advertising*, and *Journal of Consumer Affairs*. Ringold, with Janis K. Pappalardo, is a recipient of the *Journal of Public Policy and Marketing* Award for outstanding research. She was elected to the Board of Directors of the American Marketing Association and ended her service as Chairperson of the AMA Board.

**Joshua Stager** is the senior policy counsel at the Open Technology Institute. He specializes in telecommunications law and policy, including OTI's efforts to protect net neutrality and promote broadband competition. Prior to OTI, he worked in the U.S. Senate, the House of Representatives, and the Department of Justice.

**Kristin Williams** is an attorney in the FTC's Division of Advertising Practices. Previously, she served as Acting Assistant Director for Regional Operations and Counsel to Bureau Directors Jessica Rich and David Vladeck. She has also worked in the FTC's Divisions of Enforcement and Financial Practices.

## **Panel 2: Evolving Markets and Technological Developments: Market Structure**

**John Bergmayer** is Senior Counsel at Public Knowledge, focusing in telecommunications, media, internet, and intellectual property issues. His work at Public Knowledge includes in-person advocacy in Congress, the FCC, and other agencies, as well as drafting legal and policy papers, memoranda, and briefs. He has also testified in front of Congress and represented Public Knowledge in various international fora.

**Matthew A. Brill** is Global Chair of the Communications Law Practice and a member of the Supreme Court & Appellate Practice at Latham & Watkins LLP. He represents communications companies in a broad range of matters including regulatory, litigation, and transactional. Prior to joining Latham, Brill served as the Senior Legal Advisor to Commissioner Kathleen Q. Abernathy at the FCC, where he worked with the FCC Chairman's office, other commissioners, and agency staff. He represents NCTA – the Internet & Television Association.

**Tithi Chattopadhyay** is the Associate Director of the Center for Information Technology Policy at Princeton University. Her interests include analyzing and developing information and communication technology regulatory frameworks, non-governmental forms of coordination, and socio-economic impacts of digital technologies. She was also the first director of the State of Wisconsin's Broadband Office, where she led large-scale data collection projects and strategic planning initiatives.

**kc claffy** is founder and director of the Center for Applied Internet Data Analysis based at UC San Diego's Supercomputing Center, and an Adjunct Professor in the Computer Science and Engineering Department at University of California, San Diego. claffy has been studying various Internet research topics since 1990, spanning topology, routing, traffic, security, architecture, economics, and policy. In 1993 she co-authored her first paper on proposed traffic management approaches to deal with congestion, in a paper entitled Mitigating the Coming Internet Crunch. She established her research career, and a leading organization, in pursuit of rigorous analysis of the best available empirical data to inform our understanding of the Internet as a complex system.

**Thomas A. Whitaker** is Senior Vice President – Cable at Shentel. He was promoted to Senior Vice President in September 2015. He is responsible for Shentel's cable operations, sales, and marketing. Whitaker joined Shentel in 2004, through the Shentel acquisition of NTC Communications. He previously was COO of NTC Communications, and served as Vice President of Network Operations at Broadslate Networks, Director of Wireless Operations for nTelos, and was Co-Founder and Vice President of Nat-Com, Incorporated. He currently serves on the National Cable Television Cooperative Board of Directors. Shentel is a member of the American Cable Association, on whose behalf he is appearing at the hearing.

**Ruth Yodaiken** is currently on detail to the Federal Trade Commission's Office of Policy Planning as an Attorney Advisor. She comes from the FTC Bureau of Consumer Protection, Division of Privacy and Identity Protection and, before that, Marketing Practices. Prior to joining the FTC, she served as an attorney advisor in the Federal Communications Commission's Bureaus of Wireline Competition and Consumer and Governmental Affairs. She has also worked in private practice and as a journalist.

### **Panel 3: Evolving Markets and Technological Developments: Policy Applications**

**Tejas N. Narechania** is an Assistant Professor of Law at the University of California, Berkeley, School of Law, where he teaches courses on telecommunications regulation, intellectual property, and property. He is also a Faculty Co-Director of the Berkeley Center for Law & Technology. Before joining Berkeley Law, Narechania clerked for Justice Stephen G. Breyer of the Supreme Court of the United States from 2015 to 2016 and for Judge Diane P. Wood of the U.S. Court of Appeals for the Seventh Circuit from 2011 to 2012. He has advised the FCC on network neutrality matters, where he served as Special Counsel from 2012 to 2013.

**Gigi Sohn** is a Distinguished Fellow at the Georgetown Law Institute for Technology Law & Policy and a Benton Senior Fellow and Public Advocate. Most recently, Sohn was an Open Society Foundations Leadership in Government Fellow and a Mozilla Fellow. From 2013 to 2016, Sohn was Counselor to the former Chairman of the Federal Communications Commission, Tom Wheeler. From 2001 to 2013, Sohn served as the Co-Founder and CEO of Public Knowledge.

**Mitch Stoltz** is a Senior Staff Attorney at the Electronic Frontier Foundation (EFF). Mitch works on cases where free speech and innovation collide with copyright, trademark, and antitrust law. His current projects include fighting the use of copyright as a tool for censorship, impact litigation on Internet television and video, and studying trends in antitrust enforcement in Internet industries. Before joining EFF, Stoltz was an associate at Constantine Cannon LLP in Washington DC, where he worked on antitrust and copyright litigation and technology policy.

**Tom Struble** is technology policy manager and counsel with R Street Institute, where he leads R Street's work on telecom, antitrust, and consumer privacy issues. Prior to joining R Street, Tom worked as policy counsel for TechFreedom from 2014 to 2017. Tom also worked as a law clerk for the Competitive Carriers Association in 2014 and the Mobility Division of the FCC's Wireless Telecommunications Bureau in 2013.

**Berin Szoka** is the President of TechFreedom. Previously, he was a Senior Fellow and the Director of the Center for Internet Freedom at The Progress & Freedom Foundation (PFF). Before joining PFF, he was an Associate in the Communications Practice Group at Latham & Watkins LLP, where he advised clients on regulations affecting the Internet and telecommunications industries. Before joining Latham's Communications Practice Group, Szoka practiced at Lawler Metzger Milkman & Keeney, LLC and clerked for the Hon. H. Dale Cook, Senior U.S. District Judge for the Northern District of Oklahoma.

**Christopher S. Yoo** is the John H. Chestnut Professor of Law, Communication, and Computer & Information Science at the University of Pennsylvania. Yoo is also Director of the Center for Technology, Innovation and Competition. His research focuses on how the principles of network engineering and the economics of imperfect competition can provide insights into the regulation of electronic communications.

**Suzanne Munck** is Chief Counsel for Intellectual Property for the FTC and Deputy Director of its Office of Policy Planning. Munck was the lead author of the FTC's 2016 report on PAE activity, and led the FTC's 2017 modernization of the FTC/DOJ Antitrust Guidelines for the Licensing of Intellectual Property. Before joining the FTC, Munck was an antitrust and IP litigator in Los Angeles.

## **Panel 4: Identifying Efficiencies and Remediating Competitive Harms in Broadband Markets**

**William Blumenthal** is a partner in Sidley Austin's Washington, D.C. office. He is practice area leader of the firm's global antitrust/competition practice. From 2005-2009 he served as the General Counsel of the FTC.

**Michelle P. Connolly** is Professor of the Practice in the Economics Department at Duke University. Her research and teaching focus specifically on international trade, telecommunications policy, media policy, education, growth, and development. Connolly previously served as Chief Economist of the Federal Communications Commission from 2006 to 2007 and 2008 to 2009, and as an Economist for the International Research Function for the Federal Reserve Bank of New York from 1996 to 1997.

**Michael L. Katz** holds the Sarin Chair in Strategy and Leadership and professorships in both the Economics Department and the Haas School of Business at the University of California, Berkeley, where he is a member of the Economic Analysis and Policy Group. He is also a Senior Consultant with Compass Lexecon. Katz has served as Deputy Assistant Attorney General for Economic Analysis in the Antitrust Division of the U.S. Department of Justice from 2001 to 2003; Chief Economist at the Federal Communications Commission from 1994 to 1996; and Assistant Professor of Economics at Princeton University.

**Jonathan B. Sallet** is a Senior Fellow at the Benton Foundation. Sallet recently served as General Counsel of the Federal Communications Commission and as Deputy Assistant Attorney General in the Antitrust Division of the U.S. Department of Justice. He has also served in the U.S. Department of Commerce, as assistant to the secretary and director of the Office of Policy & Strategic Planning. Sallet is also a partner in the law firm Steptoe & Johnson, LLP.

**Howard Shelanski** is a Professor at the Georgetown University Law Center and a Partner at Davis Polk & Wardwell LLP. Previously, Shelanski served as Administrator of the Office of Information and Regulatory Affairs. He has also served as the Director from 2012 to 2013 and Deputy Director from 2009 to 2011 of the Bureau of Economics at the FTC, as well as the Chief Economist from 1999 to 2000 of the FCC and a Senior Economist from 1998 to 1999 for the President's Council of Economic Advisers.

**Suzanne Munck** is Chief Counsel for Intellectual Property for the FTC and Deputy Director of its Office of Policy Planning. Munck was the lead author of the FTC's 2016 report on PAE activity, and led the FTC's 2017 modernization of the FTC/DOJ Antitrust Guidelines for the Licensing of Intellectual Property. Before joining the FTC, Munck was an antitrust and IP litigator in Los Angeles.

**Katherine Ambrogi** is an Attorney Advisor in the Federal Trade Commission's Office of Policy Planning. She was previously an attorney in the Mergers IV Division of the FTC's Bureau of Competition and served as an Attorney Advisor to former Commissioner Julie Brill.