

**JAMES B. SPETA**  
**Northwestern University Pritzker School of Law**  
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### ***EDUCATION***

The University of Michigan, Ann Arbor, Michigan.  
J.D., magna cum laude, 1991.  
Editor-in-Chief, Michigan Law Review (Vol. 89, 1990-1991).  
B.A., with highest distinction, 1988 (major: economics).

### ***EXPERIENCE***

*Professor*, Northwestern University Pritzker School of Law (Aug. 2005-present).

- *Harry Horrow Professor of International Law* (2018-2020).
- *Class of 1940 Research Professor of Law* (2013-2017).
- *Assistant & Associate Professor* (Aug. 1999-Aug. 2005).
- Principal research areas: telecommunications law, Internet regulation, antitrust and regulation, and network industry regulation.

*Vice Dean* (Sept. 2018-present).

In addition to continued work on international programs and initiatives, provide leadership and coordination of law school efforts to develop programming and support for alumni communities, outreach to law firms and other external stakeholders, engage in program review of various administrative functions, and lead compliance and reporting efforts.

*Associate Dean of International Initiatives* (Jan. 2012-Sept. 2013; Aug. 2017-Aug. 2018).

Assist the Dean and Program Directors with planning strategy for all inbound and outbound international programs, including residential and overseas LL.M. programs. Engage in new program development and new international relationships. Member of law school Senior Leadership Team, which includes other (non-international) initiatives such as co-chairing ABA/AALS accreditation visit preparation.

*Senior Associate Dean for Academic Affairs and International Initiatives* (Sept. 2013-Aug. 2017).

Curriculum planning and strategy, program development, and international initiatives described just above. Member of law school Senior Leadership Team.

*Associate Dean for Academic Affairs: Executive Degree Programs* (Oct. 2010-Dec. 2011).

Supervise all aspects of overseas LL.M. programs in Seoul, Tel Aviv, and Madrid, and Accelerated LL.M. program in Chicago. Engage in program development. Member of law school Management Committee.

*Associate*, Sidley & Austin, Chicago, Illinois (Aug. 1993-Aug. 1998). Practice concentrated in telecommunications matters, appellate and complex civil litigation, antitrust, and contested

corporate transactions.

*Visiting Assistant Professor*, The University of Michigan Law School (Aug. 1992-May 1993).  
Taught Federal Appellate Practice (issues of federal jurisdiction and administrative law) and  
Contemporary First Amendment Issues.

*Law Clerk*, The Honorable Harry T. Edwards, United States Court of Appeals for the District of  
Columbia Circuit (Aug. 1991-Aug. 1992).

### ***PUBLICATIONS***

INTERNET AND TELECOMMUNICATIONS REGULATION (2018) (casebook) (with Stuart Benjamin).

*Entry Policy for the Fourth Industrial Revolution*, 10 J.L. & Econ. Reg. 7 (2018).

*MCI, Southwest Airlines, and Now Uber: Lessons for Managing Competitive Entry into Taxi  
Markets*, 43 Transp. L.J. 101 (2017).

*Media Agencies in the United States*, in *Mediaagentur im Internationalen Vergleich* (Peter  
Matzneller ed. 2015).

TELECOMMUNICATIONS LAW AND POLICY (4<sup>TH</sup> ED. 2015) (casebook and annual supplements)  
(with Stuart Benjamin).

*The United States' Uncertain Approach to Network Neutrality*, 7 J.L. & Econ. Reg. 27 (2014).

*Unintentional Antitrust: The FCC's Only (and Better) Way Forward with  
Net Neutrality after the Mess of Verizon v. FCC*, 66 Fed. Comm. L.J. 491 (2014).

*An Appropriate Interconnection Backstop*, 12 J. Telecom. & High Tech. L 166 (2014).

TELECOMMUNICATIONS LAW AND POLICY (3<sup>D</sup> ED. 2012) (casebook) (with Stuart Benjamin,  
Howard Shelanski, and Philip Weiser).

*Supervising Discrimination: Reflections of the Interstate Commerce Act in the Broadband  
Debate*, 95 Marq. L. Rev. 1195 (2012) (symposium on 125<sup>th</sup> anniversary of the ICA).

*Reconciling Breadth and Depth in Digital Age Communications Policy*, in *Communications Law  
and Policy in the Digital Age* (Randolph J. May, ed. 2012).

*Supervising Managed Services*, 60 Duke L.J. 1715 (2011).

*The Shaky Foundations of Internet Regulation*, 7 J. Telecom. & High Tech. L. 100 (2010).

*Modeling an Antitrust Regulator for Telecommunications*, in *Balancing Antitrust and Regulation  
in Network Industries* (F. Leveque ed. 2010).

*A Sensible Next Step on Network Neutrality: The Market Power Question*, 8 Rev. Network Econ. 113 (2009).

*Spectrum Policy Experiments: What's Next?*, 2008 U. Chi. Legal Forum 389.

*Resale Requirements and the Intersection of Antitrust and Regulated Industries*, 31 J. Corp. L. 307 (2006).

*Making Spectrum Reform "Thinkable,"* 4 J. Telecom. & High Tech. L. 183 (2006).

*Rewriting U.S. Telecommunications Law with an Eye on Europe*, in *Connecting Markets & Societies* (Jürgen Müller & Brigitte Preissl, eds.) (2006).

*An Overview of Media Concentration in the United States: Regulation and the Theory of Deregulation*, in *Digitale Satellitenplattformen in den USA und Europa und ihre Regulierung* (Institutes für Europäisches Medienrecht 2005).

*Policy Levers in Korean Broadband*, 4 J. Korean Law 1 (2004).

*Deregulating Telecommunications in Internet Time*, 61 Wash. & Lee L. Rev. 1063 (2004).

*Vertical Regulation in Digital Television: Explaining Why the United States Has No Access Directive*, in *Regulating Access to Digital Television Technical Bottlenecks, Vertically-Integrated Markets and New Forms of Media Concentration* 53-65 (European Audiovisual Observatory 2004).

*Antitrust and Local Competition under the Telecommunications Act*, 71 Antitrust L.J. 99 (2003).

*FCC Authority To Regulate The Internet: Creating It and Limiting It*, 35 Loy. U. Chi. L.J. 15 (2003).

*Competitive Neutrality in Right of Way Regulation: The Consequences of Convergence*, 35 Conn. L. Rev. 763 (2003).

*Maintaining Competition in Information Platforms: Thoughts on Vertical Restrictions in Emerging Information Platforms*, 1 J. Tel. & High Tech. L. 185 (2002).

*A Vision of Internet Openness by Government Fiat*, 96 Nw. U. L. Rev. 1553 (2002) (reviewing Lawrence Lessig, *The Future of Ideas: the Fate of the Commons in a Connected World*).

*A Common Carrier Approach To Internet Interconnection*, 54 Fed. Comm. L.J. 225 (2002).

*The Vertical Dimension of Cable Open Access*, 71 Colo. L. Rev. 975 (2000).

*Handicapping the Race for the Last Mile?: A Critique of Open Access Rules for Broadband*

*Platforms*, 17 Yale J. on Reg. 39 (2000).

*Tying, Essential Facilities, and Network Externalities: A Comment on Piraino*, 93 Nw. U.L. Rev. 1277 (1999).

*Internet Theology*, 2 Green Bag 2d 227 (1999) (reviewing Mike Godwin, *Cyber Rights* (1998)).

Hon. Harry T. Edwards and James B. Speta, "Our Federalism": Doctrines of Legislative and Judicial Federalism in the United States (Comparative Lessons for "Subsidiarity" in the European Community?) (Mentor Group Working Paper 1993).

Note, *Narrowing the Scope of Civil Drug Forfeiture: Section 881, Substantial Connection, and the Eighth Amendment*, 89 Mich. L. Rev. 165 (1990).

### **WORKING PAPERS**

*Screening and Simplifying the Competition Arguments in the NBC/Comcast Transaction*, Technology Policy Institute (May 5, 2010) ([http://techpolicyinstitute.org/files/nbc\\_comcast\\_speta.pdf](http://techpolicyinstitute.org/files/nbc_comcast_speta.pdf)).

*The Consumer Benefits of Video Franchise Reform in Illinois*, Heartland Policy Study #112 (2007) (with John Skorburg & Steven Titch).

*Network Neutrality Is a Federal Issue*, Free State Foundation Working Paper (2007).

### **GRANTS**

Measuring the Welfare Loss from the FCC's TV Table of Allocations, Searle Foundation, 2003-2004 (with David Haddock).

### **SELECTED PANEL & PAPER PRESENTATIONS**

Entry Policy for the Fourth Industrial Revolution, SNU & UBC International Conference, September 2017.

Communications Policy in Service of Equity, Digital Broadband Migration, Silicon Flatirons, University of Colorado Law School, Feb. 2017.

Uber and Deregulating Transportation Markets, Loyola University Law School, September 2015.

An Appropriate Interconnection Backstop, Digital Broadband Migration, Silicon Flatirons, University of Colorado Law School, Feb. 2013.

Payment Innovation at the Contract/Carriage Interface, Telecommunications Policy Research Conference, September 2012. Also Tilburg University Law and Economics Seminar, Dec. 2012.

A Skeptical Approach to the Broadband First Amendment, Michigan State University School of

Law, October 2011.

Video over the Top and the Future of Video Regulation, Tilburg University Center on Law and Economics, June 2011.

The FCC's Authority over Broadband Access, Wharton and Berkman Center Program, Washington D.C., May 2010.

Reverse Engineering Institutional Question from the *Comcast* Order, Silicon Flatirons Digital Broadband Migration, University of Colorado, February 2009.

The Future of Intercarrier Compensation, University of Pennsylvania Conference on 25 Years after the Bell Decree, April 2008.

The Year in Telecommunications Regulation, Searle Center on Law and Regulation, April 9, 2008.

Assessing the Progress of "Spectrum Reform," University of Chicago Legal Forum, October 27, 2007.

U.S. Broadcast Deregulation: Modest Thoughts for Korea, Seoul National University Center on Law and Public Utilities, September 14, 2007.

Getting Past the Network Neutrality Roadblock, SNU-Berkeley Centers for Law and Technology, January 2007.

The Digital Age Communications Act's Approach to Net Neutrality. March 2006.

Antitrust and Unfair Competition, SNU-Berkeley Centers for Law and Technology, Annual Conference, February 2006.

Antitrust and Regulation in Telecoms, Ecole des Mines, January 2006.

Commentary on the Federal/State Relations Proposal, Digital Age Communications Act Project, September 2005.

The Regulatory Framework Proposal, Digital Age Communications Act, June 2005.

VoIP Blocking and Network Neutrality, Congressional Internet Caucus, on April 19, 2005.

The Political Economy of Spectrum Reform, Silicon Flatirons, University of Colorado, February 2005.

Commentary on Broadcasting Convergence in the U.S. and Korea, SNU-Berkeley Centers for Law and Technology, Annual Conference, January 2005.

Options and Prospects for Voice over Internet Protocol Regulation, Presentation, Federal Communications Bar Association, October 2004.

Comparative Law and Economics of U.S. and European Telecommunications Reform, Telecommunications Policy Research Conference (Washington, D.C.), October 2004.

The FCC's Jurisdiction To Regulate the Internet, Cardozo Law School, September 2004.

Rewriting U.S. Telecommunications Law with an Eye on Europe, International Telecommunications Society, Berlin, Germany, September 2004.

Current U.S. Broadband Policy and Prospects for Deregulation, Presentations to Korean Ministry of Information and Communications and Korean Information Strategy Development Institute, June 2004.

U.S. Approaches To Vertical Media Regulation, Medienforum.nrw, Cologne, Germany, June 2004.

Untangling Copyright and Communications Law: The FCC's Digital Rights Management Policies, Michigan State University-DCL College of Law, March 2004.

Lessons from Korean Broadband Policy for the United States, SNU-Berkeley Technology Centers, February 2004.

Deregulating Telecommunications in Internet Time, Georgetown Law School Intellectual Property and Technology Law Colloquium, December 2003.

U.S. Vertical Regulation of Digital Television Platforms, European Audiovisual Observatory & IVIR, University of Amsterdam, September 2003.

The Article I Authority of the FCC, Loyola University of Chicago, February 2003.

Legal Rules To Implement Dynamic Spectrum Sharing, Panel Presentation, Carnegie Mellon University, Insites Program, February 2002.

The Antitrust Regulation of Information Platforms, Panel Presentation and Paper, Silicon Flatirons, University of Colorado, January 2002.

Vertical Exclusivity in Third-Generation Wireless, Paper and Presentation, Pacific Telecommunications Council, Seoul, South Korea, June 2001.

Corporate Control and Industry Structure in Global Communications, London Business School, Paper Discussant, May 2001.

Cable Internet Regulation and Market Incentives for Openness, Stanford Center for Internet and Society, Panel Presentation, December 2000.

A Common Carrier Approach to Internet Interconnection, Paper and Presentation, Telecommunications Policy Research Conference, Washington, D.C., September 23, 2000.

Open Source and Open Access, Panel Presentation, The E-Business Transformation, Brookings Institution and Department of Commerce, September 2000.

Unbundling & Open Access, Telecommunications in the 21st Century, Paper and Presentation, University of Colorado Law Review, February 2000.

Telecommunications Innovation, Moderator, University of Chicago Legal Forum, October 1999.

Mandatory Resale Rules in Long Distance Markets: Regulation Searching for an (Economic) Justification, Working Paper and Presentation, Telecommunications Policy Research Conference, Washington, D.C., September 1999.

### ***TESTIMONY AND AGENCY SUBMISSIONS***

Testimony (invited panelist), Federal Communications Commission, Field Hearing on NBC/Comcast Merger, July 2010.

Testimony (invited panelist), Federal Communications Commission, Media Concentration Field Hearing, September 20, 2007.

Testimony, "Video Franchising Reform in Illinois," Illinois House Telecommunications Committee, March 15, 2007.

Testimony, "Competition in the Communications Marketplace: How Technology Is Changing the Structure of the Industry," House Energy & Commerce Committee, March 2, 2005.

Comments, Inquiry Concerning High-Speed Access to the Internet over Cable and Other Facilities, FCC GN Docket 00-185 (Jan. 19, 2001) [filed on behalf of AT&T Corp.].

Comments on Request by Staff of Senate Commerce Committee, Hearings on Internet Access and the Consumer, Senate Commerce Committee (April 13, 1999) (comments available at <http://www.senate.gov/~commerce/hearings/0414spe.pdf>).

Ex Parte Comments, In the Matter of the Merger of AT&T Corp. and MediaOne, Submitted to the Federal Communications Commission (Dec. 22, 1999) (addressing whether FCC should condition approval of merger on open access conditions).

### ***OTHER PROFESSIONAL ACTIVITIES***

Of Counsel, EimerStahl LLP (2001-present).

BigTen Academic Alliance, Fellow: Academic Leadership Program (2016-2017).

*Amicus Curiae Brief*, to the United States Court of Appeals for the Ninth Circuit, in *O'Bannon v. NCAA* (addressing players' rights of publicity and antitrust injury), January 2015.

*Amicus Curiae Brief*, to United States Court of Appeals for the D.C. Circuit, in *Comcast v. FCC* (addressing the jurisdiction of the FCC to regulate Internet services), August 2009.

Board of Academic Advisors, The Free State Foundation, 2008-present.

Advisory Board (including peer review), *I/S: A Journal of Law and Policy for the Information Society*.

Co-Chair, Working Group on "New Regulatory Framework," The Digital Age Communications Act Project, Progress & Freedom Foundation, 2004-2006.

Board of Advisors, Institute for Regulatory Law & Economics, 2003-present.

Board of Legal Experts, Carnegie Mellon University Insites Program (Law and Technology), 2002-2006.

Admitted to Illinois, Seventh Circuit, and Northern and Central Districts of Illinois Bars. Active membership.

Expert Declaration for AT&T Corp. in Inquiry Concerning High-Speed Access to the Internet over Cable and Other Facilities, FCC GN Docket 00-185 (Jan. 19, 2001).

United States Court of Appeals for Seventh Circuit. Accepted appointments in civil cases on request of Circuit Executive. Black Lung representation – appointed in 1999, matter concluded (favorably) 2012.

Appellate and complex litigation consulting. Clients (either directly or indirectly through a law firm) have included Citgo Petroleum Corp., Union Carbide Corp., and PacTiv Corp.

### ***TEACHING***

Courses: Administrative Law, Antitrust Law, Business Associations, Constitutional Law, Contracts, Intellectual Property, Telecommunications and Internet Policy, and Torts. Corporations (co-listed with Kellogg Business School as Business Law); The Law of Information Technology (Master of Science in Information Technology, McCormick School of Engineering).

Teaching Awards: Best Teacher of a First-Year Class (1999-2000 and 2007-2008) (student-voted award); Outstanding Teacher of a Small Class (2008-2009 and 2009-2010) (student-voted award)  
Childres Award for Teaching Excellence (2000-2001, 2005-2006, and 2008-2009) (student-voted award for best

overall teacher)  
Dean's Teaching Award (2002-2003 and 2005-2006)  
Elected "Last Lecturer" for Graduating Class (2005, 2006, 2011).

PhD Committee at Tilburg University, Dec. 2012 (subject: European Network Neutrality regulation).

### ***SERVICE***

- 2018-2018: Strategic Planning Committee, Bluhm Legal Clinic  
Provost's Advisory Committee on Women Faculty
- 2017-2018: Co-Chair ABA/AALS Site Visit Preparation  
Search Committee, University Buffett Institute Director  
Promotion Subcommittees
- 2016-2017: Appointments Subcommittees  
Law Technology Committee
- 2015-2016: Law Technology Committee
- 2014-2015: Business Law Appointments Committee
- 2013-2014: Strategic Planning Committee, Phase II (Curriculum Co-Chair)
- 2012-2013: Appointments Committee  
Strategic Planning Committee  
Co-Chair, Faculty Development Committee  
Law School Representative, University Faculty Reappointment,  
Promotion, Tenure, and Dismissal Appeals Panel
- 2011-2012: Chair, Faculty Advisory Committee (faculty-elected member)  
Co-Chair, Faculty Development Committee  
Dean's Budget Committee  
Law School Representative, University Faculty Reappointment,  
Promotion, Tenure, and Dismissal Appeals Panel
- 2010-2011: Chair, Faculty Advisory Committee (faculty-elected member)  
Law School Representative, University Faculty Reappointment,  
Promotion, Tenure, and Dismissal Appeals Panel
- 2009-2010: Clerkship Committee  
Curricular and Pedagogical Practices Task Force
- 2008-2009: Clerkship Committee  
Curricular and Pedagogical Practices Task Force

- 2007-2008: Co-Chair, University Committee to revise patenting policy  
Dean's Plan 2008 Strategic Planning Committee  
Clerkship Committee
- 2006-2007: Chair, Curriculum Committee  
Business and Commercial Appointments Subcommittee
- 2005-2006: Chair, Curriculum Committee  
Member, Intellectual Property Appointments Subcommittee
- 2003-2004: Chair, Clerkship Committee  
Faculty Advisor, Media & Entertainment Law Society (assisted students  
organizing conference on FCC media ownership rules)
- 2002-2003: Faculty Advisory Committee (faculty-elected member)  
Law Review Faculty Advisor  
Clerkship Committee
- 2001-2002: Faculty Advisory Committee (faculty-elected member)  
Law Review Faculty Advisor
- 2000-2001: Co-chair, Clerkship Committee  
Corporate and Securities Appointments subcommittee  
Entry-level Appointments subcommittee  
Program Committee, Election 2000 Conference  
Northwestern Great Debates, sponsored by Provost's office, Feb. 2001
- 1999-2000: Appointments Committee  
Chair, Clerkship Committee