

The Hodgson Russ advantage

Hodgson Russ has been working in the telecommunications industry almost since the day there was a telecommunications industry. Hodgson Russ clients include wireless carriers, site owners and managers, broadcasters, fiber-optic companies, cable companies, and equipment manufacturers.

Experience

Hodgson Russ has served as lead counsel to telecommunications companies in all phases of development and construction:

- ▶ Assistance with leasing
- ▶ Compliance with environmental regulations
- ▶ Compliance with state and federal environmental review
- ▶ Assistance with contamination issues
- ▶ Compliance with historic preservation
- ▶ Assistance with municipal approval procedures, from zoning and obtaining building permits to complex multijurisdictional reviews of tower facilities
- ▶ Assistance with obtaining title
- ▶ Assistance with site selection
- ▶ Assistance with zoning and land use

We also serve clients on issues arising after construction is complete, including:

- ▶ Audits, from sales and use taxes to corporate income and franchise taxes
- ▶ Corporate acquisitions, financing, due diligence, preparation of offering statements, and regular submissions
- ▶ Dispute resolution, mediation, and arbitration
- ▶ Leasing
- ▶ Litigation in local, state, or federal court
- ▶ Multistate and international "cross-border" tax issues
- ▶ Sales

- ▶ Tax assessment challenges before administrative and judicial forums
- ▶ Transaction structures to minimize tax liabilities while maximizing tax credits and other incentives

Hodgson Russ in action

Our action and insight provide a distinct advantage to our clients in the intricate and evolving world of telecommunications.

- ▶ Recently Hodgson Russ successfully defended a client in partnership with the New York State Thruway Authority in a case of first impression involving municipal regulation of facilities on Thruway property.
- ▶ We have successfully prosecuted telecommunication zoning cases in both state and federal courts. More important, we have an excellent record of obtaining approvals without the need for litigation.
- ▶ Hodgson Russ's experience and effort helped spearhead an important environmental review of an expansive tower placement project on a public agency's statewide property holdings, involving hundreds of local, state, and federal jurisdictions.
- ▶ Hodgson Russ attorneys in the Telecommunications Practice Group represented Com Dev International Ltd., an Ontario manufacturer of satellite telecommunication equipment, in its acquisition of assets of DSC/Celiore, Inc. from Alcatel S.A., a French satellite manufacturer. We regularly assist our clients in working with lenders to fuel their growth objectives.
- ▶ In another acquisition matter, information about environmental problems uncovered during our due diligence on behalf of an acquiring company led to a significant and positive restructuring of the transaction.
- ▶ We assist our clients in NEPA compliance and in dealing with aesthetic concerns raised by historic preservation statutes. Our work with clients and their engineers addresses environmental impact issues such as soil and water contamination at numerous sites.

An added advantage

We provide our telecommunications clients with an additional competitive edge—attorneys who are well versed in the technical and practical aspects of all major areas of law. From tax policy to trusts and estates, from import and export regulations to health care reimbursement formulas, from patent and trademark issues to products liability and procurement rules, Hodgson Russ attorneys are thoroughly equipped to assist you.

For more information about the Hodgson Russ telecommunications practice, please contact:

Joseph Goldberg, Practice Group Leader

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Mr. Goldberg has broad experience representing clients in the telecommunications industry and represents foreign-based companies in managing U.S. operations. He represents and serves as outside general counsel for various public and private companies nationwide, providing advice on a wide range of legal issues. Mr. Goldberg's practice includes all phases of federal and state civil litigation, NASD and AAA arbitrations, and government regulatory and enforcement proceedings. He has successfully tried and argued cases nationwide. Mr. Goldberg provides corporate, partnership, trademark, intellectual property, and employment law advice. He also serves as a strategic and financial consultant for various emerging companies.

Terrence M. Gilbride

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Mr. Gilbride's practice includes multistate acquisitions and financings, privatized student housing projects, sports facility leasing and development, industrial development agency projects, and commercial leasing. He also devotes a substantial portion of his practice to construction law matters, regularly representing owners and developers in construction and architect contract negotiations.

Daniel A. Spitzer

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Mr. Spitzer is involved in a variety of matters affecting the placement of telecommunications industry facilities in local communities, including preparing applications, drafting local laws, guiding the environmental review process under the State Environmental Quality Review Act, and representing both the industry and communities on applications before zoning boards of appeals, planning boards, and other governing bodies. He has successfully litigated municipal telecommunication issues in both federal and state courts, including several issues of first impression in New York.

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