



## → Abraham J. Shanedling

### **Associate**

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

T: +1.202.747.2644

F: +1.202.747.3921

ashanedling@sheppardmullin.com

Abram Shanedling is an associate in the Business Trial Practice Group in the firm's Washington, D.C. office and a member of the firm's Communications Team.

### **Areas of Practice**

Abram focuses his practice on business litigation and technical regulatory compliance matters. He represents clients before federal and state trial and appellate courts across the country as well as federal and state administrative agencies in complex and high stakes litigations involving commercial disputes and disputes concerning statutory, constitutional, communications, environmental, intellectual property, false advertising, privacy, and administrative law issues.

Abram regularly represents cable operators and other broadband providers in matters involving government regulations and deployment of competitive wire-based and wireless networks, such as local franchising, access to rights-of-way, PEG programming, pole attachments and infrastructure deployment and a host of other related issues. He represents providers on these issues in state and federal courts and participates in rulemakings and adjudications before the Federal Communications Commission (FCC) and state public service commissions.

Abram also has represented technology and software companies in trademark, advertising, and contract disputes and litigation.

In addition to his practice, Abram is actively involved in the firm, currently serving on Sheppard Mullin's Pro Bono Committee, Recruiting Committee, and Associates' Forum. Abram is dedicated to pro bono representation and public interest litigation in Washington, D.C. and across the country. Abram has represented several clients in immigration and asylum matters, successfully aided a federal inmate in securing compassionate release, and is currently representing a not-for-profit organization in environmental litigation arising under the Clean Water Act concerning the Bristol Bay region of Southwest Alaska.

Outside of the firm, Abram is a Co-Chair of the State & Local Practice Committee of the Federal Communications Bar Association and an Associate Trustee of the Washington Lawyers' Committee for Civil Rights and Urban Affairs.

Abram previously served as a law clerk for the U.S. Senate Committee on the Judiciary and as a legal intern in the Office of the Chief Counsel of the U.S. Department of Homeland Security.

## Honors

- Gardner Gillespie Environmental Pro Bono Award, 2024
- Ones to Watch – Litigation, *Best Lawyers*, 2021-2024
- Recommended Attorney - Telecoms and Broadcast: Regulatory, *Legal 500 US*, 2019-2022
- Burton Distinguished Legal Writing Award, 2015
- Washington, D.C. Rising Star, *Super Lawyers*, 2020-2024

## Experience

### Generally

- Represents national cable operator in litigation in federal and state court regarding franchise fees, access to rights-of-way, and pole attachments.
- Has represented a broad coalition of cable providers in pole attachment rulemaking proceedings before state public utilities commissions, including in Connecticut, Georgia, Louisiana, Maine, South Carolina, and Texas.
- Represents clients from across the country and in different industries in commercial litigation matters.
- Advises clients on compliance with telecommunications laws and regulations.

### Representative Matters

- Won a trial victory in the Middle District of Florida on behalf of provider of online learning programs (Stride, Inc.), defeating all of the trademark infringement, false advertising, breach of contract, and unfair competition claims (for multi-billion dollars) of Stride's public agency competitor following three years of litigation. *Fla. Virtual School v. K12, Inc.*, No. 6:20-CV-2354-GAP-EJK, 2024 WL 22039 (M.D. Fla. Jan. 2, 2024)
- Secured trial victory for national cable operator in case involving contract, constitutional, and statutory issues over the cable operator's obligations to pay royalty fees under municipally-issued permits that expired when the state of Texas took over issuance of cable franchises. The ruling relieved the client of the obligation to pay millions of dollars for expired, city-issued permits. *Charter Commc'ns, Inc. v. Prewitt Mgmt., Inc.*, No. 1:16-CV-1268-LY, 2023 WL 3859027 (W.D. Tex. Apr. 28, 2023)
- Successfully represented national cable operator before South Carolina Public Service Commission in dispute concerning access for broadband infrastructure and terms and conditions for pole attachments on utility poles. *Spectrum Southeast, LLC v. York Elec. Coop.*, No. 2022-188-EC, 2023 WL 2755207 & 2022 WL 18024803 (S.C. Pub. Serv. Comm'n Mar. 27, 2023 & Dec. 22, 2022)
- Resolved cases brought by Texas cities over interpretation of key provisions of Texas's Public Utility Regulatory Act governing calculation of franchise fees, after obtaining favorable summary judgment on client's behalf. *City of San Antonio v. Time Warner Cable, Texas, LLC*, 552 F. Supp. 3d 402 (W.D. Tex. 2021); *City of Allen et. al., v. Time Warner Cable Texas LLC*, No. 6:19-cv-345-ADA-JCM (W.D. Tex.)
- Successfully represented national cable operator at Seventh Circuit Court of Appeals and Southern District of Indiana in case affirming that Section 621 of the federal Cable Act authorizes cable operators' compatible use of easements dedicated to utility purposes. *West v. Louisville Gas & Elec. Co. et al*, No. 4:16-cv-00145RLYTAB, 2018 WL 321686 (S.D. Ind. Jan. 8, 2018), *appeal dismissed*, 920 F.3d 499 (7th Cir. 2019), and *aff'd sub nom.* 951 F.3d 827 (7th Cir. 2020)

- Obtained dismissal of breach contract and various tort claims against technology services client in North Carolina federal court. *Saad v. Slivinski et al.*, No. 1:20-v-20 (M.D.N.C. 2020)
- Represented national cable operator in obtaining unanimous victory before the Texas Supreme Court regarding uniform pole attachment rate and anti-discrimination requirements in the Texas Public Utility Regulatory Act. *Time Warner Cable Texas LLC v. CPS Energy*, 593 S.W.3d 291 (Tex. 2019).
- Secured dismissal of all claims brought against government defense/robotics contractor for defamation, tortious interference with contractual relationships, civil conspiracy and unfair competition. *Robo-Team NA, Inc. v. Endeavor Robotics*, 313 F. Supp. 3d 19 (D.D.C. 2018).
- Successfully represented the Louisiana Cable & Telecommunications Association in negotiating a favorable settlement of claims brought by electric utility company before the Louisiana Public Service Commission regarding pole attachment rental rates. *In re: Complaint and Petition for Declaratory Ruling on Proper Formula for the Pole Attachment Rental Rate Under Louisiana Public Service Commission Order Dated September 4, 2014*, Docket No. U-34688 (La. Pub. Serv. Comm'n filed 2017)
- Represented national cable operator in defeating a request for a temporary restraining order and a motion to remand, and securing voluntary dismissal of breach of contract action brought by landowner in U.S. District Court for the Northern District of Texas. See *Smalley v. Charter Commc'ns Holding Co., LLC*, 2017 WL 7520467 (N.D. Tex. Apr. 10, 2017); 2017 WL 2335518 (N.D. Tex. May 26, 2017).

## Pro Bono

- Obtained a landmark appellate victory for not-for-profit organization at Ninth Circuit Court of Appeals for not-for-profit organization on issue of first impression under the Clean Water Act and Administrative Procedure Act. *Trout Unlimited v. Pirzadeh*, 1 F.4th 738 (9th Cir. 2021).
- Has successfully represented several clients seeking asylum in U.S. Immigration Court.
- Represented federal inmate suffering severe sickle cell anemia in obtaining early compassionate release under federal First Step Act.

## Articles

- How a Consumer Group's Cybersecurity Initiative Could Shape the Market  
*Morning Consult*, 06.12.2017
- "Removing Weapons of Mass Destruction From the World's Most Volatile Region: How to Achieve a WMD-Free Zone in the Middle East," 46 *Georgetown Journal of International Law* 315, 2014

## Class Action Defense Strategy Blog Posts

- "Second Circuit Affirms "Snap" Removal Practice," March 29, 2019

## FCC Law Blog Posts

- "With Net Neutrality Order, FCC Grants Broadband-Only ISPs New Pole Attachment Protections," May 6, 2024
- "Battling the Robocall Onslaught: The FCC's Strategic Measures Against AI-Driven Scams," February 12, 2024
- "FCC Adopts New Pole Attachment Rules to Promote Broadband Expansion," December 18, 2023
- "FCC To Vote on New Pole Attachments Rules to Promote Broadband Expansion," December 4, 2023

- "FCC Launches Inquiry into the Risks of AI on Unwanted Robocalls and Texts," November 2, 2023
- "White House Announces \$42.5 Billion in Broadband Funding Allocations," June 27, 2023
- "Florida Enacts Pole Attachment Regulations for Electric Cooperatives," June 5, 2023
- "FCC Assures State Lawmakers of Commitment to Pole Attachment Rules Promoting Broadband Deployment and Competition," May 25, 2023
- "Sunshine State Becomes 24th to Certify Regulation of Pole Attachments," June 14, 2022
- "The FCC's Latest Pole Attachment Ruling: "Just Another Brick In The Wall" for Electric Utilities, or "Satisfaction" for ILECS?," September 30, 2021
- "Sixth Circuit Affirms FCC Rule That Most In Kind Contributions Are Franchise Fees," June 2, 2021
- "Ninth Circuit Rejects Challenges to FCC's One-Touch Make-Ready, Small Cell Deployment, and Local Moratoria Orders," August 18, 2020
- "FCC Seeks "Large Step" Toward Advancing Broadband Infrastructure Goals With Draft One-Touch Make-Ready Order," July 16, 2017

## Media Mentions

Litigator of the Week Runners-Up and Shout Outs  
*American Lawyer*, 01.05.2024

Judge Rips Fla. Agency As TM 'Bully' In Online School Row  
*Law360*, 01.03.2024

Judge Tosses Trump-Era Pebble Mine Approval in Bristol Bay  
*Bloomberg Law*, 11.01.2021

EPA Says Decision Paving Way For Pebble Mine Must Go  
*Law360*, 09.29.2021

EPA Moves To Block Pebble Mine Again  
*Law360*, 09.09.2021

EPA Reversal on Pebble Mine Pollution Limits is Reviewable  
*Bloomberg Law: Environment & Energy*, 06.17.2021

9th Circuit revives lawsuit over Alaska's Pebble Mine project  
*Reuters*, 06.17.2021

9th Circ. Says EPA's Move On Alaska Mine Can Be Challenged  
*Law360*, 06.17.2021

Enviros Can Restart Alaska Mine Suit Despite COVID-19 Stay  
*Law360*, 04.10.2020

Enviros Seek Restart In Alaska Mine Suit Despite Virus Pause  
*Law360*, 04.07.2020

7th Circ. Lets Charter Run Fiber Over Litigant's Land  
*Law360*, 03.03.2020

Native, Green Groups Want Pebble Mine Restrictions Revived  
*Law360*, 02.03.2020

EPA Says It Can't Be Sued For Nixing Pebble Mine Restrictions  
*Law360*, 12.11.2019

Fishing Industry News: Trout Unlimited Sues EPA; Florida Moves to Protect Shoal Bass  
*Grand View Outdoors*, 10.14.2019

Daily Dicta: Sheppard Mullin Goes Fishing for Justice  
*Law.com*, 10.10.2019

EPA Sued For Lifting Restrictions On Pebble Mine Project  
*Law360*, 10.09.2019

Trout Unlimited Joins Legal Fray over EPA's Pebble Mine Plan  
*Bloomberg Environment*, 10.09.2019

Texas Justices Side With Time Warner In Utility Fees Row  
*Law360*, 05.17.2019

Appeal Of Charter's Exit From Tower Suit Premature: 7th Circ.  
*Law360*, 04.05.2019

Time Warner Tells Texas Justices Utility's Fees Discriminatory  
*Law360*, 01.24.2019

## Speaking Engagements

Speaker, "Billions for Broadband: An Update on the BEAD Grant Process and What's Next for State Broadband Offices in 2024," FCBA, February 6, 2024

## Events

Building Better Broadband: A Practical Guide to Converting Federal and State Grants and Subsidies to Expand Broadband  
Webinar, 09.20.2023

## Memberships

- Co-Chair, State & Local Practice Committee, Federal Communications Bar Association
- Associate Trustee, Washington Lawyers' Committee for Civil Rights and Urban Affairs

- Member, American Bar Association
- Member, Federal Communications Bar Association
- Member, Bar Association of the District of Columbia

## Podcasts & Webinars

Building Better Broadband: A Practical Guide to Converting Federal and State Grants and Subsidies to Expand Broadband  
09.20.2023

## Practices

Litigation

Public Policy and Government Affairs

Class Action Defense

International Reach

Israel

Trade Secrets

## Industries

Artificial Intelligence

Construction

Telecom

## Education

J.D., Georgetown University Law Center, 2015, *cum laude*, Managing Editor, *Georgetown Journal of International Law*

B.A., University of Wisconsin, 2009, *with honors*

## Admissions

District of Columbia

Maryland

U.S. Supreme Court

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court for the District of Columbia

U.S. District Court for the District of Maryland

U.S. District Court for the Western District of Texas