




Claire J. Evans

Partner



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Claire litigates complex trial and appellate matters before federal and state courts, the Federal Communications Commission (FCC), the Federal Election Commission (FEC), the Federal Trade Commission (FTC), and state regulatory commissions, with particular emphasis on infrastructure and joint use disputes and challenges of agency action.

Representative Matters

- Represents telecommunications companies in complex litigation and regulatory proceedings involving rate-setting disputes, the deployment of broadband infrastructure, wireless facility siting, joint use, and pole attachment issues.
- Litigates jurisdictional, constitutional, election law, intellectual property, and administrative law issues in trial and appellate courts.
- Counsels telecommunications companies on the scope of their federal rights and develops litigation strategies under the Communications Act and other applicable laws.
- Represents clients in agency rulemakings, investigations, and enforcement proceedings, including FCC Pole Attachment Complaint proceedings and FTC Civil Investigative Demands.
- Files *amicus* and merits briefs in the U.S. Courts of Appeals and the Supreme Court of the United States.
- Representative matters include:
 - Joint use and rate disputes before state and federal courts, the FCC, and state regulatory commissions, including FCC Pole Attachment Complaint proceedings.

Practice Areas

Issues and Appeals
Election Law & Government Ethics
FTC Regulation
Pole Attachment and Infrastructure
Deployment Litigation and Counseling
Telecom, Media & Technology

Credentials

Education

J.D., with highest honors, Rutgers University School of Law at Camden

B.A., *magna cum laude*, University of Delaware; Phi Beta Kappa

Clerkships

Law Clerk for the Honorable Clarence Thomas, Supreme Court of the United States (2008-2009)

Law Clerk for the Honorable David B. Sentelle, U.S. Court of Appeals for the District of Columbia Circuit (2007-2008)

Law Clerk for the Honorable Michael Chertoff, U.S. Court of Appeals for the Third Circuit (2004-2005)

Law Clerk for the Honorable Jerome B. Simandle, U.S. District Court for the District of New Jersey (2002-2004)

Bar and Court Memberships

District of Columbia Bar

New Jersey Bar

Pennsylvania Bar

Supreme Court of the United States

U.S. Courts of Appeals for the First, Third, Fourth, Fifth, Eighth, Tenth, Federal, and District of Columbia Circuits

- Wireless siting disputes, including *Sprint Spectrum et al. v. Zoning Board of Adjustment of Paramus*, No. 14-2954 (3d Cir.).
- Appeals of agency action, including *Ameren Corp. et al. v. FCC*, No. 16-1683 (8th Cir.), *Citizens for Responsibility and Ethics in Washington v. FEC*, No. 14-1419 (D.D.C.), and *Power Integrations, Inc. v. Kappos*, No. 11-1254 (D. D.C.).
- File comments and pleadings in rulemakings and adjudications at federal agencies, including the FCC, FEC, and FTC.
- Constitutional cases, including *Coors Brewing Company v. Mendez-Torres*, No. 11-1559 (1st Cir.) and *Software & Information Industry Association v. Solers, Inc.*, No. 10-1523 (D.C. App. Ct.).
- Patent litigation, including *Porto Technology Co. v. Cellco Partnership*, No. 12-678 (E.D. Va.), *RSA Security LLC v. Zions Management Services Company*, No. 12-11975 (D. Mass.), *Callaway Golf Company v. Kappos*, No. 11-266 (E.D. Va.), and pharmaceutical litigation involving aripiprazole (Abilify®), cyclobenzaprine HCl (Amrix®), and fenofibrate (Antara®).
- Copyright royalty fee litigation before the American Society of Composers, Authors and Publishers (ASCAP) rate court to set license fees for the public performance of musical works in wireless communications products and services.

U.S. District Courts for the District of Columbia, District of New Jersey, Eastern District of Texas, and Western District of Pennsylvania

Professional Experience

- U.S. Department of Justice
 - Attorney, Criminal Division, Criminal Appellate Section (2006-2007)
 - Bristow Fellow, Office of the Solicitor General (2005-2006)
- Attorney, U.S. Department of Homeland Security, Office of the General Counsel (2005)

Affiliations

- Federal Communications Bar Association (FCBA)

Recognitions

- Recognized in *The Legal 500 US* in Appellate: Court of Appeals (2017-2023) and Telecom and Broadcast: Regulatory (2014-2018, 2020-2023)
- Named to *Law360's* Appellate Editorial Advisory Board (2022-2024)