

**NABIHA SYED, J.D.**

Nabiha represents media clients in a wide range of content-related matters. Prior to joining LSKS, she was the First Amendment Fellow in The New York Times Company's legal department, where she counseled reporters on legal issues in newsgathering and litigated access to courts and freedom-of-information issues.

**VIKKI STONE**

Vikki Stone is a veteran of the insurance and risk management industry, with 30 years of experience placing commercial and personal lines for middle market companies, manufacturers, distributors, property owners, technology firms, and individuals. She is currently Senior VP at Poms Associates.

**PAUL MCDUFFEE**

Paul McDuffee is Insitu's associate vice president of government relations and strategy, responsible for driving Insitu's future in civilian and commercial use of unmanned aircraft systems (UAS). McDuffee coordinates Insitu's strategy development with parent company Boeing, and is the principal liaison with the FAA in matters

relating to regulation development for UAS operations in the national airspace. McDuffee was recently elected to the board of directors for the Association for Unmanned Vehicle Systems International (AUVTI) and is currently serving as co-chair of its UAS Advocacy Committee, chair of its newly formed Technical Committee, and Privacy Sub Group committee chair. McDuffee was a member of the FAA's small Unmanned Aircraft System Aviation Rulemaking Committee and is a current member of the FAA's UAS Aviation Rulemaking Committee steering group.

**SHAYNA GERSHER**

Shayna Gersher is a graduate student at the Institute of Political Economy at Carleton University. Her research examines Canada's role in the emerging global drone industry and the rationalities adopted by government and the private sector to justify their use. As of recently, she has focused on Canada's regulatory regime for drone

integration into civil airspace. Shayna is also conducting research on border drones in North America as part of the international Borders in Globalization (BIG) project.

**STEPHEN NICHOLS, J.D.**

Stephen M. Nichols is Division Leader of the McKenna, Long & Aldridge LLP Litigation Department's Product Liability/Toxic Tort Division. Mr. Nichols is a Fellow in the American College of Trial Lawyers, one of the premier legal associations in America.

**STEPHEN DEDMON, J.D.**

Professor Dedmon joined Embry-Riddle as an Assistant Professor in August 2005. Prior to teaching at the Daytona Beach residential campus he was an Adjunct Professor for Embry-Riddle from 2003-2005.

**STEVEN MORRISON, J.D.**

Professor Morrison teaches Criminal Procedure, Criminal Sentencing, and Constitutional Law. Prior to his teaching at UND Law, he was a criminal defense attorney in Boston, Mass., and attended Boston College Law School.

**THEODORE J. WIERZBANOWSKI**

Ted Wierzbowski is a retired USAF Colonel and an experimental test pilot for the X-29 program. Ted retired from the Air Force in 1994 and went to work at AeroVironment (AV) where, prior to his retirement from AV in early 2013, he managed many unmanned aircraft systems (UAS) programs and was AV's Director of UAS Airspace Integration responsible for AV's interaction with the FAA and other government agencies on UAS issues. In the

past he was the President of UNITE (UAV National Industry Team), the Industry Co-Chair of the FAA's Small UAS Aviation Rulemaking Committee (ARC), a member of the current FAA UAS ARC, and a member of EUROCAE UAS Working Groups 73 and 93. He is currently the Chair of the ASTM F-38 UAS Standards Committee that is focused on developing consensus standards in support of the upcoming FAA rule on small UAS.

**TIMOTHY RAVICH**

Timothy M. Ravich is the Immediate Past Chair of the Florida Bar Aviation Law Committee. His aviation law practice is based in Miami, Florida, where he served as the president of the Dade County Bar Association and where he is recognized as one of thirty-four board certified aviation lawyers among the state's more than 95,000 attorneys. In addition to his law practice,

Tim teaches aviation and space law at the University of Miami School of Law & Florida International University's College of Law.

**TOM HALLMAN**

Tom Hallman is the President of Pictovision Inc, the leading supplier of gyro-stabilized aerial camera systems to the entertainment industry. In January of this year he became the Secretary of the Channel Islands Chapter of the Association of Unmanned Vehicle Systems International (AUVTI).

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**CONFERENCE GUIDE**

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**BRENDAN SMITH**

Brendan Smith is a Ph.D. student in Mechanical Engineering. Brendan began his research with Mechatronics, Embedded Systems, and Automation (MESA) Lab in Fall 2012. At MESA, Brendan performs research on UAVs, batteries, and closed-loop feedback utilizing low-cost prototyping boards.

**DOUGLAS MARSHALL, J.D.**

President, TrueNorth Consulting, LLC, an aviation consulting organization. Co-author of the recently published *"Introduction to Unmanned Aircraft Systems"*. Served on RTCA SC-203, ASTM F-38 and SAE G-10 Committees, the AUVSI Advocacy Committee, the Arctic Monitoring and Assessment Program UAS Expert Group, the Small UAS Aviation Rulemaking Committee and the current UAS Aviation Rulemaking Committee.

**CAREN MORRISON, J.D.**

Caren Morrison is an assistant professor at the Georgia State University College of Law, where she teaches Evidence and Criminal Procedure. She served as an assistant U.S. Attorney in Eastern District of New York from 2001 to 2006, where she prosecuted international narcotics traffickers and organized crime. Her current research focuses on the impact of electronic information on the criminal justice system and on mechanisms of jury selection.

**CHARLES NAFTALIN, J.D.**

Charles is a partner of Holland & Knight, practices in the area of telecommunications law. Mr. Naftalin is experienced in interexchange, local exchange and international telecommunications services providers via fiber optic cable, microwave and satellite radio, commercial television and radio broadcasters, non-profit public interest groups, mobile marine radio common carriers and state and municipal governments.

**DAVID GOLDBERG, Conference Co-Chair**

David Goldberg is an adjunct Associate Professor of Law at Southwestern Law School and Senior Visiting Fellow, Institute of Computer and Communications Law in the Centre for Commercial Law Studies, Queen Mary, University of London. From 2007-2013, he was an Associate Research Fellow, Centre for Socio-Legal Studies, University of Oxford. In 2011, he was elected a Fellow of the Royal Society of the Arts etc (FRSA) and also gained a 'PhD by Prior Publication' (Glasgow Caledonian University). He co-ordinates Project Forsskal, an 18th Century advocate of open government and has worked for the UK Campaign for Freedom of Information since 1984.

**DONNA DULO, J.D.**

Donna Ann Dulo is a senior mathematician, computer scientist, and systems engineer for the US Department of Defense for 24 years. She is currently at the US Naval Postgraduate School, performing research in aviation software systems focusing on unmanned aircraft anti-collision systems. She is also a systems and safety engineer at Icarus Interstellar focusing on spacecraft systems safety and unmanned spacecraft systems software. She is an adjunct professor at Embry-Riddle Aeronautical University. Donna is currently a PhD candidate in aerospace software engineering at the US Naval Postgraduate School. She is currently writing the American Bar Association's book on unmanned aircraft law and technology.

**GALE A. TOWNSLEY, J.D.**

Gale A. Townsley is Senior Counsel in Severson & Werson's Insurance Law group. She joined the firm in 1998 with over a decade of experience.

**HILLARY FARBER, J.D.**

Associate Professor Hillary B. Farber teaches in the areas of criminal law, criminal procedure, and evidence at the University of Massachusetts School of Law. She has presented nationally and internationally on the domestic use of unmanned aircraft systems. Professor Farber's forthcoming article, *Eyes in the Sky: Constitutional and Regulatory Approaches to Domestic Drone Deployment* concerns government use of unmanned aerial surveillance and the limits the Fourth Amendment and legislative action can place on this emerging technology.

**JASON KNIGHT, Conference Coordinator**

Jason Knight is a J.D. candidate for 2016 at Southwestern Law School. Currently, Jason is a legal researcher and author in the aerospace field and he is the event coordinator for the Southwestern Law School: Using Drones in the News and Entertainment Industries Conference.

**JOE VACEK, J.D.**

Joe Vacek teaches a wide variety of aviation-related undergraduate and graduate courses, as well as courses on space law and private space flight issues in the Space Studies department by researching aviation law and policy, specifically focusing on environmental issues and UAV operations. In his law practice, he specializes in aviation issues and helps students with legal concerns. He is often strapped into the back seat of a Super Decathlon teaching aerobatics and serves as faculty advisor to the UND Acrobatic Team.

**MARK DOMBROFF, J.D.**

Mark concentrates his practice on the aviation industry and enforcement matters, security, National Transportation Safety Board (NTSB). Mark started his legal career as a Trial Attorney with the Office of the General Counsel of the Federal Aviation Administration (FAA). He then moved to the Aviation Unit of the United States Department of Justice where he spent 15 years representing the FAA.

**MICKEY OSTERREICHER, J.D.**

He serves as general counsel to the National Press Photographers Association and is an award-winning photojournalist with almost 40 years of experience. Mickey's work has appeared in such publications as the New York Times, Newsweek and USA Today as well as on ABC World News Tonight, Nightline, Good Morning America, NBC Nightly News and ESPN.

**MIKE SCOTT, J.D. & Conference Co-Chair**

Michael D. Scott is a professor of law at Southwestern Law School in Los Angeles, CA. He joined the faculty as a full-time professor in 2003 after 29 years of private practice. He is the author of seven legal books, including *Scott on Information Technology Law* (3<sup>rd</sup> ed.), *Scott on Outsourcing Law* and *Scott on Multimedia Law* (2d ed.). He is also Editor-in-chief of two the monthly newsletter - *Cyberspace Lawyer*.

**MIKE RIZZO, J.D.**

Michael R. Rizzo regularly represents aerospace and defense companies in contract formation and dispute issues both in the federal and private sectors. Mr. Rizzo has 20 years of experience in resolving termination disputes at the federal, state and local government levels. He has prepared and litigated successful claims against the Departments of Defense, Energy and NASA for contract changes, defective specifications and delay and disruption arising from the government's administration of major weapon systems and infrastructure contracts.

**MIKE LISSONE**

Mike Lissone is currently responsible for the Unmanned Aircraft System Air traffic Management (UAS ATM) integration program at EUROCONTROL. He joined the Agency in 2001 as senior navigation and airspace specialist responsible for Precision Area Navigation (P-RNAV) implementation in the European Civil Aviation Conference (ECAC). During this period, he developed the ATM with RNAV in Extended Terminal Area (ARETA) Ops concept for terminal airspace, supported by advanced controller tools.





## Drones...

### *The Evolution & Underwriting of Insurance Coverage*

While the FAA establishes operating rules for commercial use of drones, the insurance industry is learning how to address coverage issues ranging from invasion of privacy to aerial surveillance and data collection. In addition to some of the critical coverages listed below, underwriters want to know:



- *How long has the model been operating?*
- *Who is the manufacturer?*
- *What are the details of the drone, including area of operations and height flown?*
- *What is the claims record?*
- *How does it land?*
- *Will it be flown in populated areas?*
- *What is the intended use or application?*

## Reliability and Safety

Underwriters will be looking for a risk that presents as "good risk." For example, is the aircraft operation and use safe? Is it at a safe distance from people or property? Does it have safety features for loss of power or loss of communication? Does it operate to and from a safe and secure location? Losses have a higher compounding affect than just insurability. It may result in loss of life, company reputation, uninsured losses, bankruptcy.

## Insurance Coverages:

- *General Liability*
- *Aircraft/Products Liability*
- *Property Coverage*
- *Hull Coverage*
- *Workers' Compensation*
- *Employment Practices Liability*
- *Director's and Officer's Liability*



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# Using Drones in the News and Entertainment Industries: Legal and Regulatory Issues

Friday, February 7, 2014 • Southwestern Law School • Los Angeles, CA

## Registration

Register by returning this form with payment to:

Drone Law Conference  
Donald E. Biederman Entertainment and Media Law Institute  
Southwestern Law School  
3050 Wilshire Boulevard  
Los Angeles, CA 90010  
Fax: (213) 738-6614 (Attn: Biederman Institute)

Each attendee must register. If necessary, make copies of this form and complete one for each attendee in your group.

## Registration Fees

**\$165** before January 7, 2014

**\$175** on or after January 7, 2014 or at the door (as space permits)

**\$65** for Government, Public Interest and Non-Southwestern students

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## Using Drones in the News and Entertainment Industries: Legal and Regulatory Issues

Friday, February 7, 2014  
Southwestern Law School  
Los Angeles, CA

Photo Credit: Ars Electronica (cc)

**T**his groundbreaking event will focus on the legal and regulatory themes involved in the use of commercial drones (technically, remotely piloted aircraft systems or RPAS) for the purposes of news-gathering, media, advertising, and entertainment production.

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# Using Drones in the News and Entertainment Industries ♦ [www.swlaw.edu/droneconference](http://www.swlaw.edu/droneconference)

Friday, February 7, 2014 ♦ Southwestern Law School ♦ Los Angeles, CA Co-chairs: Professor David Goldberg and Professor Michael D. Scott, Southwestern Law School

## Schedule\*

\* For the latest schedule, including additional speakers, please visit: [www.swlaw.edu/droneconference](http://www.swlaw.edu/droneconference).

**8:30 - 9:00 a.m. Registration and Check-in**

**9:00 - 9:10 a.m. Welcoming Remarks**

**Nabiha Syed**, Attorney, Levine Sullivan Koch & Schulz;  
Founder of Drone U and the Drone-List

**9:10 - 9:30 a.m. Overview of Current Drone Usage**

Civilian usage for drones (technically, remotely piloted aircrafts or RPAs) is growing at an exponential rate. Key users are newsgathering and media production. Highly capable camera-equipped RPAs' costs are falling dramatically and their small size will allow single journalist operation. Using RPAs can save the lives of journalists and film crews. This session is about the "issues" of using UAVs (unmanned aerial vehicles) - the reality, the misconceptions, and the future.

**Speakers:** **Tom Hallman**, President, Pictorvision, Van Nuys, CA  
**Emmanuel Prévinaire**, President, Flying-Cam

**9:30 - 10:50 a.m. The First Amendment and RPAs**

Drones/RPAs used for newsgathering and media production are tools that engage First Amendment protected activities. What are the legal arguments facilitating their deployment and protecting their editorial and creative use? Are there any countervailing interests? If so, how should the newsgathering/media production interests prevail?

**Moderator:** **Nabiha Syed**, Attorney, Levine Sullivan Koch & Schulz;  
Founder of Drone U and the Drone-List

**Panelists:** **Donna Dulo**, Senior Systems Engineer, U.S. Dept. of Defense; Adjunct Professor, Embry-Riddle Aeronautical University

**Stephen Morrison**, Assistant Professor, University of North Dakota School of Law

**Caren Morrison**, Assistant Professor, Georgia State University College of Law

**Mickey Osterreicher**, General Counsel, National Press Photographers Association; Of Counsel, Hiscock & Barclay

**10:50 - 11:10 a.m. Coffee Break**

**11:10 - 12:30 p.m. Sharing the Airspace: The Current Status and the Future of FAA Regulations of RPAs**

The ultimate goal is to enable the unrestricted use of drones in the national airspace. The FAA is mandated under the FAA Modernization and Reform Act of 2012 to have rules in place by 2015. But, journalists and media producers might want to use "small drones." Will there be proposed rules for sUAS (Small Unmanned Aircraft System) by early in 2014? Will the industry be geared up for that 90-day period for comment?

**Moderator:** **Douglas Marshall**, Division Manager, UAS Regulations & Standards Development, Physical Science Laboratory, New Mexico State University

**Panelists:** **Timothy Ravich**, President, Ravich Law Firm, P.A.

**Theodore J. Wierzbanski**, Chair, ASTM F38 UAS Standards Committee (Committee F38 on Unmanned Aircraft Systems)

**Paul McDuffee**, Insitu, Inc. and Co-chair, Special Committee SC-228, Minimum Operational Performance Standards for Unmanned Aircraft Systems

**12:30 - 2:00 p.m. Luncheon & Keynote Speaker**

**Matthew South**, President, AUVSI, Channel Islands Chapter

**2:00 - 3:40 p.m. Industry Issues**

**Moderator:** **Professor David Goldberg**, Southwestern Law School

### A. Insurance

How ready is the underwriting industry to write policies for drone operators? What are the crucial issues facing the underwriting industry? What will underwriters consider as a risk that presents as "good risk"? Will newsgatherers and media production companies contemplate using drones without proper cover?

**Panelists:** **Gale A Townsley**, Senior Counsel, Severson & Werson, Insurance Law Group

**Vikki Stone**, Senior Vice President, Poms and Associates, Insurance Brokers, Inc.

### B. Frequency Spectrum Allocation

Access to dedicated, interference – free and secure radio frequencies is a fundamental issue for drones operations. The two key aspects are getting payload (e.g., video) data from the drone back to base and the command and control signals to be able to properly operate the aircraft. And, it's a security issue: the drone needs to be protected in the electro-magnetic frequency space from phishing, scamming and being hijacked.

**Panelist:** **Charles Naftalin**, Partner, Holland & Knight

### C. Responsibility/Liability

Operators (manufacturers, too) must be aware of product liability and safety issues. Consumer lawsuits will undoubtedly impact negatively on operators. What are the considerations regarding product liability and product safety? How can operators mitigate the risk of product related injuries and related lawsuits? Who is liable for what?

**Panelists:** **Mark Dombroff**, Partner, McKenna Long & Aldridge

**Stephen Nichols**, Partner, McKenna Long & Aldridge

**Mike Rizzo**, Partner, McKenna, Long & Aldridge

### D. Certification/Airworthiness

The key consideration for aircraft operation is safety (and drones are aircraft). Are drones required to be issued with airworthiness certificates? Do (remote) pilots need a conventional or a bespoke pilot's certificate? Can operators "self-certify" the equipment and personnel, or must they be FAA certified in both instances?

**Panelist:** **Joe Vacek**, Assistant Professor, John D. Odegard School of Aerospace Sciences, University of North Dakota

**3:40 - 4:00 p.m. Coffee Break**

**4:00 - 4:50 p.m. Legislative Activities at the Local, State, Federal and International Levels**

Using drones for newsgathering and media production is a game-changer. Media lawyers will need to become conversant with aviation law(s) and regulations at all levels – local/state/federal/regional and international. What should be taken into account as regards cross-border use?

**Moderator:** **Stephen Dedmon**, Director, Aviation Law, Embry-Riddle Aeronautical University

**Panelists:** **Shayna Gersher**, Institute of Political Economy, Carleton University, Ottawa, Canada

**Mike Lissone**, Integration Manager, EUROCONTROL, UAS ATM, Belgium

**Hillary B. Farber**, Associate Professor, University of Massachusetts School of Law

**4:50 - 5:00 p.m. Closing Comments**

**Charles Naftalin**, Partner, Holland & Knight

**5:00 - 6:00 p.m. Reception/Drone Display**

**CLE Credit >** This conference offers 6.5 hours of CLE credit. Southwestern is a State Bar of California approved MCLE provider.

**Location >** This conference will be held on the Southwestern Law School campus. For directions, visit: [www.swlaw.edu/directions](http://www.swlaw.edu/directions). Campus parking is \$9.

**Questions >** Questions may be directed to Southwestern's Biederman Institute at (213) 738-6602 or [institute@swlaw.edu](mailto:institute@swlaw.edu).