

Judicial Review of Agency Action

Wiley regularly represents clients in the U.S. Courts of Appeals in judicial review of Federal Communications Commission (FCC) actions.

Wiley is uniquely placed among Washington firms in its comprehensive ability to represent clients in matters pending both before the FCC and in federal and state courts. Where other firms specialize in either regulatory or litigation matters, Wiley attorneys are well versed in both and are typically involved in agency actions from the earliest stages through judicial review. This allows our attorneys to achieve regulatory solutions for our clients and enables us to properly position the issues for appellate review if necessary. Attorneys in the Communications Appellate & Litigation Group routinely work with other Telecom, Media & Technology attorneys in matters pending before the FCC.

Wiley's Appellate & Communications Litigation Team frequently seeks judicial review of FCC decisions ranging from routine licensing decisions to novel declaratory rulings to complex agency rule-makings. This appellate practice includes proceedings under the lottery provision of 28 U.S.C. § 2112(a) for multidistrict appeals of agency actions. In this capacity, we also regularly advise clients appearing before federal agencies and develop strategy for seeking judicial review of, or intervening to support, agency actions. Whether defending a grant of a license after a multi-billion-dollar merger, or challenging the FCC's authority to regulate in the name of "net neutrality," Wiley regularly finds itself at the cutting edge of communications law and policy.