



December 16, 2014

VIA ECFS

William Lake
Chief, Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Withdrawal from Acknowledgments of Confidentiality; Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations, MB Docket No. 14-90

Mr. Lake:

Through this letter, the American Cable Association (“ACA”) hereby withdraws the Acknowledgments of Confidentiality for Maayan Lattin, Attorney, Cinnamon Mueller, in the above-referenced docket. Ms. Lattin will no longer represent ACA in the above-referenced proceeding.

Despite having filed Acknowledgments of Confidentiality pursuant to the original and Modified Joint Protective Orders issued in this proceeding,¹ and having assisted in preparing ACA’s Comments in this proceeding,² Ms. Lattin has not accessed or reviewed any Confidential Information or Highly Confidential Information (“HCI”).³ ACA did not include any Confidential Information or HCI in its Comments filed on Sept. 16, 2014. Therefore, it was not necessary for Ms. Lattin to review any of the material covered by the Jun. 11, 2014 Joint Protective Order, which was produced to others on ACA’s AT&T-DirecTV review team, in order to assist in the production of ACA’s Comments.⁴ Thereafter, pursuant to the terms of the Oct. 7, 2014 Modified Joint Protective Order (“MJPO”), Ms.

¹ *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Protective Order, MB Docket No. 14-90 (rel. Jun. 11, 2014); *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Acknowledgment of Confidentiality filed on behalf of Maayan Lattin, MB Docket No. 14-90 (filed Sept. 4, 2014); *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Modified Joint Protective Order, MB Docket No. 14-90 (rel. Oct. 7, 2014) (“MJPO”); *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Acknowledgments of Confidentiality on behalf of the ACA, MB Docket No. 14-90 (filed Oct. 9, 2014, posted to ECFS Oct. 13, 2014 and to the transaction team spreadsheet Oct. 20, 2014).

² *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Comments of the American Cable Association, MB Docket No. 14-90 (filed Sept. 16, 2014); *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Opposition to Objections to Disclosure of Confidential and Highly Confidential Information, MB Docket No. 14-90 (filed Oct. 27, 2014).

³ See Declaration of Maayan Lattin, Dec. 16, 2014 at ¶ 4 (“Lattin Declaration”).

⁴ Review of the confidential and highly confidential material in this proceeding prior to the MJPO and the resulting objections was conducted by other members of the ACA AT&T-DirecTV merger review team which consists of Ross Lieberman, Senior Vice President of Government Affairs, In-house Counsel to ACA; Gary Biglaiser, Outside Consultant to ACA; Barbara Esbin and Noah Cherry, Cinnamon Mueller, Outside Counsel to ACA.

Lattin signed an Acknowledgment of Confidentiality on Oct. 8, 2014.⁵ Objections to her access to Confidential Information and HCI, including the new sub-category of Video Programming Confidential Information (“VPCI”) were filed, respectively, by certain content companies and broadcast groups on October 14, 2014 and October 23, 2014.⁶ Pursuant to the terms of the MJPO, Ms. Lattin continued to refrain from reviewing any Confidential Information or HCI in this proceeding pending resolution of the programmers’ challenges.⁷ The Content Companies sought and obtained injunctive relief with respect to disclosure of VPCI in the D.C. Circuit pending decision on their petition for review of the MJPO.⁸ Thereafter, the Media Bureau released an Order rejecting objections, *inter alia*, to the undersigned, Maayan Lattin and Noah Cherry, Outside Counsel to ACA, obtaining access to HCI not including VPCI under the MJPO.⁹ Requests for HCI in their names were presented to the Applicants on December 3, 2014, and five business days later, on December 10, 2014, the HCI not including VPCI was received by Mr. Cherry. To date, only the undersigned and Mr. Cherry have reviewed the HCI produced to Cinnamon Mueller pursuant to the MJPO.¹⁰

Although the Commission has resolved the challenge against Ms. Lattin concerning access to Confidential Information and HCI, and the Confidential and HCI documents were requested in her name, she has not reviewed *any* of the original or newly released Confidential Information or HCI.¹¹ She will not be participating further in this proceeding in any manner, nor will she seek or be allowed to review any protected information disclosed in this proceeding under the terms of the MJPO.¹² The remaining members of ACA’s AT&T-DirectTV merger review team will ensure that all Confidential Information, HCI and any written material derived through review of VPCI pursuant to the Commission’s stayed MJPO, is appropriately secured and is inaccessible to Ms. Lattin.

Sincerely,



Barbara Esbin

⁵ *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Acknowledgments of Confidentiality on behalf of the ACA, MB Docket No. 14-90 (filed Oct. 9, 2014, posted to ECFS Oct. 13, 2014 and to the transaction team spreadsheet Oct. 20, 2014). Ms. Lattin also signed a Declaration reaffirming her Acknowledgment of Confidentiality on Oct. 27, 2014 that was filed with ACA’s Opposition to Objections. See *Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, ACA, Opposition to Objections to Disclosure of Confidential and Highly Confidential Information, Exhibit 4, MB Docket No. 14-90 (filed Oct. 27, 2014).

⁶ *Applications of AT&T, Inc. and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Tribune Media Company, et al., Objection to Disclosure of Confidential and Highly Confidential Information, MB Docket No. 14-90 (filed Oct. 14, 2014); *Applications of AT&T, Inc. and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, CBS Corp., et al., Objection to Disclosure of Confidential and Highly Confidential Information, MB Docket No. 14-90 (filed Oct. 23, 2014); *Applications of AT&T, Inc. and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Discovery Communications LLC, Objection to Disclosure of Confidential and Highly Confidential Information, MB Docket No. 14-90 (filed Oct. 23, 2014).

⁷ MJPO, ¶ 8.

⁸ *CBS Corp., et al. v. Federal Communications Commission*, Docket No. 14-1242 (D.C. Cir. Nov. 21, 2014) (order granting stay).

⁹ *Applications of AT&T, Inc. and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Order, DA 14-1740 (Media Bureau Dec. 3, 2014) at ¶¶ 5-6; Appendix.

¹⁰ See Lattin Declaration at ¶ 4.

¹¹ See *id.* at ¶¶ 4-7.

¹² See *id.* at ¶ 8.

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
Applications of)	
)	
)	
AT&T, Inc. and DIRECTV)	MB Docket No. 14-90
)	
For Consent to Assign or Transfer Control)	
of Licenses and Authorizations)	

DECLARATION OF MAAYAN LATTIN

1. My name is Maayan Lattin. I have been an attorney with the Cinnamon Mueller law firm since July 2014.
2. Cinnamon Mueller is headquartered in Chicago, Illinois, specializing in communications law and practice. The firm has satellite offices in Washington, DC and St. Louis, Missouri.
3. I have been assisting Barbara S. Esbin, head of the firm's DC office, with representation of the American Cable Association ("ACA") in regulatory matters before the Federal Communications Commission, including the above-referenced AT&T-DirectTV merger review.
4. To date, I have never reviewed any Confidential or Highly Confidential Information submitted in the AT&T-DirectTV merger review.
5. As part of the review team, I signed an Acknowledgment of Confidentiality and assisted in the preparation of ACA's initial comments, however at no point in that process, did I review any Confidential or Highly Confidential Information ("HCI"). ACA's comments were not based on and did not contain any references to Confidential or HCI material, and I did not review the materials independently.
6. Between the time that ACA's comments were filed and the time when I was cleared to review Confidential or HCI materials, I did not review any Confidential or HCI materials. While resolution of the challenges to my access and that of the other Cinnamon Mueller attorneys who filed Acknowledgements of Confidentiality, Ms. Esbin and Noah K. Cherry, was pending I was not permitted to review any materials and in fact did not.
7. Once the challenges were denied, one set of Confidential and HCI materials was requested on behalf of the entire Cinnamon Mueller team working on the transaction - Ms. Esbin, Mr. Cherry, and myself. In the 5-day interval before they were produced, a decision was made to end my participation in the merger review. Although they may have been produced in my name, I have not reviewed any of the Confidential or HCI materials that were received.
8. I will not be participating further in this proceeding in any manner, nor will I have access to, or review any protected information disclosed in this proceeding under the terms of the MJPO.

I, Maayan Lattin, hereby swear, under penalty of perjury, that the foregoing is true and correct, to the best of my knowledge and belief.



Maayan Lattin
Attorney, Cinnamon Mueller
Counsel to the American Cable Association

Executed this 16 day of December, 2014.

CERTIFICATE OF SERVICE

I, Alma Hoxha, do hereby certify that on this 16th day of December, 2014, I caused true and correct copies of the foregoing Withdrawal of Acknowledgments of Confidentiality for Maayan Lattin as filed by the American Cable Association to be served by electronic mail to the following:

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December 16, 2014