



Peter Karanjia

Partner

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Peter Karanjia is chair of DLA Piper's Administrative Law Appellate practice. Drawing on his experience as Deputy General Counsel of the Federal Communications Commission (2010-2013) and Special Counsel to the Solicitor General of New York (2007-2010), Peter focuses on appellate, regulatory, and complex civil litigation – with a particular emphasis on the telecommunications, technology and media sectors.

- Intellectual Property and Technology
- Litigation, Arbitration and Investigations
- Telecom
- State Attorneys General

Law360 has repeatedly selected Peter as an MVP of the Year for his "successes in high-stakes litigation." *Chambers USA* similarly notes that Peter "has a broad range of experience in representing clients in high-stakes courtroom proceedings" and is "widely regarded as one of the go-to folks for appellate work" (2020 and 2019 editions). And *Best Lawyers* (2020) features Peter among the leading lawyers in Privacy & Data Security Law and Media Law.

Peter has extensive experience handling government-facing litigation and enforcement matters, including appeals and trial court litigation involving constitutional issues, federal preemption, and privacy and cybersecurity matters. He has successfully briefed and argued major appeals covered in *The New York Times*, *The Washington Post*, and other national publications. In addition, Peter represented telecommunications providers in the FCC's first-ever enforcement proceeding involving an online data breach. As *Bloomberg BNA* reported, the case marked the FCC's "ent[ry] [into] the data security enforcement field," and was "the largest privacy action in the FCC's history."

Peter is also actively involved in pro bono and civic work, including regularly filing amicus briefs in the United States Supreme Court on behalf of members of Congress, bar associations and government officials. He serves as chairman of the national board of the American Constitution Society.

- **NetChoice v. Moody (N.D. Fla.)** – Obtained preliminary injunction enjoining enforcement of Florida's recently enacted candidate "deplatforming" statute, which forces a wide variety of online service providers (including social media platforms and online marketplaces) to host disinformation, hate speech, and other objectionable third-party content in violation of their standards. The court found that the statute likely violates the First Amendment

- ***MetroPCS v. Picker (9th Circuit and N.D. Cal.)*** – Representing prepaid wireless carrier in a constitutional challenge to the California Public Utilities Commission's assessment of a surcharge imposed on users of pay-as-you-go wireless services. As amici civil rights groups explained, the surcharge disproportionately burdens low-income and minority consumers who rely on prepaid wireless service as their sole means of obtaining internet access
- ***PSSI Global Services v. FCC (DC Circuit)*** – Successfully represented CTIA-The Wireless Association as an intervenor before the D.C. Circuit in an appeal from a major FCC order that repurposes currently underutilized spectrum for “5G” services that will facilitate telemedicine, teleworking, and other innovative uses. Satellite operators and a broadcaster of live events challenged the FCC's decision to award \$9.7 billion in incentive payments – in conjunction with a December 2020 spectrum auction – to encourage current licensees to quickly transition their operations to a narrower band of spectrum. The auction, which the satellite operators unsuccessfully sought to stay, has already generated more than \$80 billion in bids and is the largest spectrum auction in FCC history
- ***Barr v. Redacted Service Provider (9th Circuit)*** – Representing the Center for Public Integrity, Reporters Committee for Freedom of the Press, and numerous media organizations (including The Associated Press, *The New York Times*, *The Washington Post*, and *The Intercept*) as amici in a case challenging permanent gag orders accompanying FBI National Security Letters
- ***Twitter v. Barr (N.D. Cal.)*** – Representing various media organizations (including BuzzFeed, *The Guardian*, *The Washington Post*, and National Public Radio) and PEN American Center as amici in a First Amendment lawsuit challenging government restrictions on communications platforms' right to publish transparency reports disclosing aggregate information about their receipt of government requests for private user data
- ***Neustar v. FCC (DC Circuit)*** - On behalf of intervenor trade associations CTIA and US Telecom, successfully briefed and argued before the DC Circuit an appeal from FCC order selecting new vendor to provide database administration services that are currently provided by Neustar under a contract worth more than US\$400 million per year. As the *National Law Journal* reported, “[a]t stake [was] not just a lucrative contract – Neustar was paid US\$460 million in 2014, according to court papers – but also control over a system that, as one lawyer put it ... essentially makes it possible for all telephone calls in the United States to be connected.”
- ***Ameren Corp. v. FCC (Eighth Circuit)*** - On behalf of NCTA-The Internet & Television Association, successfully briefed and argued appeal as intervenor in support of a 2015 FCC order that limits the rents communications providers must pay to electric utilities in order to use their facilities to provide broadband service. The FCC anticipated that its order would incentivize broadband deployment by saving Internet service providers US\$150 million - US\$200 million per year
- ***T-Mobile v. City of Roswell, Georgia (US Supreme Court)*** - Successfully sought certiorari and obtained reversal of adverse Eleventh Circuit decision in litigation challenging municipality's denial of a wireless provider's application to install a wireless facility
- ***FCC cybersecurity enforcement action (FCC)*** - Represented telecommunications providers in the first ever FCC enforcement proceeding involving cybersecurity. The case arose out of an alleged data breach involving disclosure of proprietary customer information online. In 2015, the case settled on favorable terms for a fraction of the US\$10 million fine proposed by the FCC
- ***Facebook v. United States (DC Court of Appeals)*** - Filed amicus brief in the DC Court of Appeals on behalf of eight technology companies and The Reporters Committee for Freedom of the Press in support of Facebook's First Amendment challenge to a gag order concerning warrants the company received under the Stored Communications Act
- ***FTC v. T-Mobile (Western District of Washington)*** - Represented T-Mobile in the first ever enforcement action brought by the Federal Trade Commission against a telecommunications carrier under Section 5 of the FTC Act. As PC Magazine reported, this was “the second-largest mobile cramming settlement ever handed down.” It is also one of a handful of settlements ever negotiated that involved the FTC, the FC and the Attorneys General from all 50 states and the District of Columbia
- ***New Cingular Wireless PCS, et al. v. Picker, et al. (Northern District of California)*** - Working with a coalition of communications providers, obtained a preliminary injunction blocking an Administrative Law Judge's order to share highly sensitive business data with third parties
- ***Time Warner Cable v. FCC (Second Circuit)*** - On behalf of the FCC, successfully defended rules intended to promote diversity of video programming against facial First Amendment challenge from Time Warner Cable and cable trade association
- ***Cellco Partnership v. FCC (D.C. Circuit)*** – On behalf of the FCC, successfully defended rules requiring major wireless carriers to allow competitors to enter into “data roaming” agreements with them on commercially reasonable terms
- ***Comcast Cable Communications v. FCC (D.C. Circuit)*** – On behalf of the FCC, defended an order requiring Comcast to carry the

Tennis Channel on its cable systems

- **City of Arlington, Texas v. FCC (US Supreme Court)** - On behalf of the FCC, and working with the Solicitor General, successfully defended an FCC order designed to promote the deployment of wireless Internet services by requiring local zoning authorities to timely act on wireless carriers' applications to construct and modify cell phone towers and wireless facilities. The Supreme Court's decision is a leading precedent on Chevron deference to decisions of administrative agencies
- **FCC v. Fox Television Stations (US Supreme Court)** - On behalf of the FCC, and working with the Solicitor General, successfully petitioned for certiorari and obtained vacatur of an adverse Second Circuit ruling that struck down the FCC's broadcast indecency policy as facially unconstitutional
- **TCR Sports Broadcasting Holding v. FCC (Fourth Circuit)** – On behalf of the FCC, successfully defended an order rejecting a complaint by sports network MASN that it was improperly denied carriage on cable systems in North Carolina
- **Amazon.com v. NY Sate Dep't of Taxation (N.Y. Supreme Court, App. Div., 1st Dep't)** – On behalf of New York State, successfully defended a first-of-its-kind statute requiring out-of-state online retailers to collect sales taxes on products purchased by in-state consumers

CREDENTIALS

Admissions

- District of Columbia
- New York

Prior Experience

Before returning to private practice, Peter served from 2010 to 2013 as Deputy General Counsel of the Federal Communications Commission, where he was responsible for overseeing all of the agency's litigation. At the FCC, Peter argued a number of precedent-setting appeals, including one – described by *The New York Times* as a "big win" for the Commission – involving novel issues concerning mobile Internet services on smartphones and tablets.

Previously, Peter served as Special Counsel to New York Solicitor General Barbara D. Underwood. In that role, he briefed and argued several major appeals, including a constitutional challenge to a first-of-its-kind statute governing online commerce. As the *Washington Post* reported, the "multibillion-dollar issue" at stake in the case "is one of the most important in modern retailing."

Recognitions

- For "successes in high-stakes litigation" named MVP of the Year in Telecommunications Law by Law360 in 2017 (one of five lawyers listed nationally), 2016 (one of three lawyers listed nationally) and 2015 (one of five lawyers listed nationally)
- Recommended by Chambers USA (2017- 2020), with the 2020 edition noting that Peter "has a broad range of experience in representing clients in high-stakes courtroom proceedings" and the 2019 edition observing that Peter is "widely regarded as one of the go-to folks for appellate work"
- Named one of the Best Lawyers in America in Privacy & Data Security Law and Media Law by Best Lawyers, (2019 - 2021)
- Winner of Attorney General's Award (Office of New York Attorney General Andrew M. Cuomo), 2010

Education

- M.A., Law, University of Oxford 2001
- LL.M., Harvard Law School 1998
John F. Kennedy Scholarship (full scholarship)
- B.A., Law, University of Oxford 1997
First Class Honors (highest honors)
Brasenose College Scholarships, 1996 and 1994

Distinction in first-year examinations
Slaughter & May Prize

Courts

- District of Columbia Court of Appeals
- New York Court of Appeals
- Supreme Court of the United States
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Eighth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Tenth Circuit
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Federal Claims
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York
- United States District Court for the District of Columbia

INSIGHTS

Publications

Online platform immunity under Section 230 teed up for FCC

31 July 2020

The NTIA petition invites the FCC to enter into uncharted territory.

Court upholds New York AG's Martin Act authority to investigate virtual currency fraud

14 July 2020

State Attorney General Watch blog

- Author, "Hard Cases and Tough Choices: A Response to Professors Sunstein and Vermeule," 132 HARV. L. REV. F. 106 (2019) (March 2019)

Events

- Moderator, "FCC Year in Review – PDR Network, the Hobbs Act, and the Future of Deference to the FCC," Federal Communications Bar Association, Washington, DC (June 24, 2019)
- Panelist, "Representation Matters: Impact Litigation in the U.S. and Canada," SABA North America 2019 Convention, Atlanta, Georgia (June 21, 2019)
- Panelist, "Forty Years After *FCC v. Pacifica Foundation*," 23rd Annual Conference, ABA Forum on Communications Law, Napa, California (March, 3, 2018)
- Panelist, "Wireless Legal Seminar for the West," CTIA and Federal Communications Bar Association, Seattle (November 9, 2017)
- Interviewer, "Chai Chat With Neal Katyal," SABA North America 2017 Convention, Washington, DC (July 15, 2017)
- Panelist, "The 2016-2017 Supreme Court Review," American Constitution Society, The National Press Club, Washington, DC (June 29, 2017)
- Moderator, "Hot Topics in Media," PLI/FCBA 34th Annual Institute on Telecommunications Policy & Regulation, Washington, DC (December 2, 2016)
- Panelist, "Wireless Legal Seminar for the West," CTIA and Federal Communications Bar Association, Seattle (November 18, 2016)
- Panelist, "The Evolving Role of Amicus Briefs in Appellate Litigation," NAPABA Conference, San Diego (November 5, 2016)
- "The Nuts and Bolts of FCC Appeals," Federal Communications Bar Association (FCBA), Washington, DC (September 30, 2016)
- Co-Presenter, "The FCC and the 21st Century Media Marketplace," Media Law Conference 2016, Reston, Virginia (September 21, 2016)
- Panelist, "Privacy and Security," 2016 NaLA Spring Conference, New Orleans, Louisiana (May 18, 2016)
- Moderator, "Privacy and Cybersecurity: The FTC and FCC," The Media Institute, Washington, DC (November 17, 2015)
- Moderator, "Net Neutrality: Past, Present, and Future," NAPABA Annual Convention, New Orleans, Louisiana (November 7, 2015)
- Panelist, "Legal Seminar," CTIA The Wireless Association, Seattle (October 29, 2015)
- Panelist, "Reading the Tea Leaves: How Will the D.C. Circuit Decide the Open Internet Order Appeals," COMPTTEL Plus Conference, San Francisco (October 21, 2015)
- Moderator, "Another Cop on the Beat: The FCC's Recent Privacy Enforcement," International Association of Privacy Professionals Conference, Las Vegas (September 30, 2015)
- Panelist, "Cloud Computing," MLRC Seminar, New York, NY (April 28, 2015)
- Panelist, "Net Neutrality: A Brave New Era? Or, Back to the Future? Are we in 1934? 1993? Or, 2015?" Pacific Northwest Chapter's Federal Circuit Bar Association, Redmond, Washington (March 25, 2015)
- Panelist, "Appellate Advocacy," NAPABA Annual Convention, Scottsdale, Arizona (November 8, 2014)
- Panelist, CTIA West Legal Seminar, Seattle (November 6-7, 2014)
- Panelist, "The Broadband Policy Debates," Rutberg Wireless Influencers, Los Angeles (October 19, 2014)
- Co-Presenter, "The FCC and the 21st Century Media Marketplace," MLRC Conference, Reston, Virginia (September 18, 2014)
- Panelist, "Net Neutrality Redux: What Should the FCC Do?" FCBA Panel, Washington, DC (May 29, 2014)
- Panelist, "FCC Broadcast Indecency Regulation," FCBA CLE, Washington, DC (April 30, 2014)
- Panelist, "Appellate Advocacy," SABA CLE, Washington, DC. (April 22, 2014)
- Panelist, "Alternative Regulatory Models to View Net Neutrality," CableLabs Winter Conference, Atlanta (March 4, 2014)
- Panelist, "The Broadband Policy Debates," Rutberg Wireless Influencers, Los Angeles (October 29, 2013)

NEWS

DLA Piper team wins preliminary injunction blocking Florida's social media "deplatforming" law

1 July 2021

DLA Piper obtained a preliminary injunction yesterday blocking enforcement of Florida's social media "deplatforming" law.

MEDIA MENTIONS

- Oral argument quoted in "Federal Judge Weighs Constitutionality of Social Media Law," *Law.com Daily Business Review*, June 29, 2021
- Mentioned in "Mobile Industry Asks DC Circ. Not To Halt C-Band Auction," *Law360*, June 18, 2020
- Mentioned in "Zuckerberg Comprehension 101," *Político*, March 8, 2019
- "Vol 39, No. 44," *Communications Daily*, March 6, 2019
- "Ex-FCC Pro Joins DLA Piper To Focus On Appellate, Telecom," *Law360*, March 6, 2019
- "Compliance Hot Spots: DOJ Guidance on False Claims Act?; Online Gambling Suits Mount; What's on Tony West's Plate?; Plus: Who Got the Work," *Law.com*, March 6, 2019
- "Kevin Parker, Peter Karanjia Joins DLA Piper's Telecom and Appellate Practices in Washington, DC," *Washington DC City Biz List*, March 5, 2019
- "Wake Up Call: Ex-EPA General Counsel Garbow Hired at Outdoor Apparel Co. Patagonia," *Bloomberg Big Law*, March 5, 2019
- Quoted in "FCC Shutdown's Impact on Firms and Clients a 'Glitch' so Far, May Become Big," *Communications Daily*, January 10, 2019
- Quoted in "Telecom Developments to Watch in 2019," *Law360*, January 1, 2019
- Quoted in "The Biggest Telecom Policy Developments of 2018," *Law 360*, December 19, 2018
- Quoted in "The Biggest Telecom Cases of 2018," *Law360*, December 14, 2018
- Quoted in "Communications Law Fallout From Kennedy Retirement Cloudy, but Chevron Seen as Vulnerable," *Communications Daily*, June 29, 2018
- Quoted in "Net Neutrality Final Order Set for Legal Challenges," *Law360*, January 5, 2018
- Interviewed in "MVP: Davis Wright Tremaine's Peter Karanjia," *Law360*, December 19, 2017
- Quoted in "Law360 MVP Awards Go to Top Attorneys From 78 Firms," *Law360*, December 10, 2017
- Quoted in "One Year Later: How Trump Has Changed Telecom Policy," *Law360*, December 31, 2017
- Quoted in "Looming Net Neutrality Decision May Overtake FOIA Actions," *Law360*, September 22, 2017
- Quoted in "ISP Complaints May Not Forecast Post-Net Neutrality Behavior," *Law360*, September 8, 2017
- Quoted in "The Biggest Telecom Cases So Far in 2017," *Law360*, June 26, 2017
- Quoted in "Top 10 Beach Reads for Telecom Attorneys This Summer," *Law360*, June 5, 2017
- Quoted in "GOP Plan Revives, Expands Part of Nixed FCC Privacy Rules," *Law360*, June 1, 2017
- Quoted in "Top 3 Things To Watch On Net Neutrality," *Law360*, May 11, 2017
- Quoted in "Ninth Circuit Grants Rare Rehearing Concerning FTC's 'Common Carrier' Jurisdiction," *MLex Market Insight*, May 9, 2017
- Quoted in "Comment: U.S. Appeals Court Decision Makes U.S. Supreme Court Review of Net Neutrality Rules More Likely," *MLex Market Insight*, May 1, 2017
- Quoted in "Pai Unlikely To Quell Politics At FCC With Economics Push," *Law360*, April 7, 2017
- Quoted in "Trump Signs Bill Killing FCC Rules: Is That Really a Big Deal?" *IAPP*, April 4, 2017
- Quoted in "What Does Trump's FCC Look Like Under Pai?" *The Privacy Advisor, IAPP*, January 24, 2017
- Quoted in "How the GOP May Undo Wheeler's Telecom Legacy," *Law360*, January 9, 2017

PRO BONO

- **Department of Homeland Security v. Regents of the University of California (US Supreme Court)**
Filed amicus brief on behalf of United We Dream – an organization that represents young individuals protected by the Deferred Action for Childhood Arrivals or DACA program - and 50 organizations in consolidated lawsuits challenging the government's rescission of the DACA program
- **Hawaii v. Trump (US Supreme Court and Ninth Circuit)**
Filed amicus briefs on behalf of more than 100 members of Congress in litigation challenging President Trump's "Travel Ban" Executive Order

- **Janus v. AFSCME (US Supreme Court)**

Filed amicus brief on behalf of U.S. Senators Sheldon Whitehouse and Richard Blumenthal in the litigation defending fair-share union fees against First Amendment challenge

- **Pavatt v. Sharp (US Supreme Court)**

Represented Oklahoma death row inmate seeking Supreme Court review of his capital sentence – following *en banc* review by the Tenth Circuit – based on the Eighth Amendment

- **National Security Archive v. CIA (District Court for the District of Columbia)**

On behalf of the National Security Archive (an award-winning research center founded by journalists and scholars), successfully obtained previously classified cables in Freedom of Information Act litigation against the CIA. The cables were covered in the *New York Times* and *Washington Post*

- **Hernández v. Mesa (US Supreme Court)**

Filed amicus brief in US Supreme Court on behalf of former police chiefs supporting petitioners in case involving the extraterritorial application of the Constitution and issues of qualified immunity

- **Evenwel v. Abbott (US Supreme Court)**

Filed amicus brief on behalf of the Hispanic National Bar Association, the National Bar Association, and the South Asian Bar Association of North America in major voting rights case. The *New York Times* reported that the Court's decision was "a major statement on the meaning of a fundamental principle of the American political system, that of 'one person one vote.'"

- **Pena-Rodriguez v. Colorado (US Supreme Court)**

Filed amicus brief on behalf of the Anti-Defamation League, the Hispanic National Bar Association, and LatinoJustice in case addressing the admissibility of evidence of a juror's racial bias exhibited during deliberations