

UNITED STATES COURT OF APPEALS

DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW
Washington, DC 20001-2866
Phone: 202-216-7000 | Facsimile: 202-219-8530

AGENCY DOCKETING STATEMENT

Administrative Agency Review Proceedings (To be completed by appellant/petitioner)

- 1. CASE NO. 18-1326 2. DATE DOCKETED: 12-11-2018
3. CASE NAME (lead parties only) City of Austin v. FCC and US
4. TYPE OF CASE: [x] Review [ ] Appeal [ ] Enforcement [ ] Complaint [ ] Tax Court
5. IS THIS CASE REQUIRED BY STATUTE TO BE EXPEDITED? [ ] Yes [x] No
6. CASE INFORMATION:
a. Identify agency whose order is to be reviewed: Federal Communications Commission
b. Give agency docket or order number(s): FCC 18-133
c. Give date(s) of order(s): Federal Register publication on 10/15/2018
d. Has a request for rehearing or reconsideration been filed at the agency? [x] Yes [ ] No
e. Identify the basis of appellant's/petitioner's claim of standing. See D.C. Cir. Rule 15(c)(2):
f. Are any other cases involving the same underlying agency order pending in this Court or any other?
g. Are any other cases, to counsel's knowledge, pending before the agency, this Court, another Circuit Court, or the Supreme Court which involve substantially the same issues as the instant case presents?
h. Have the parties attempted to resolve the issues in this case through arbitration, mediation, or any other alternative for dispute resolution? [ ] Yes [x] No

Signature /s/Joseph Van Eaton Date 1/28/2019
Name of Counsel for Appellant/Petitioner Joseph Van Eaton
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ATTACH A CERTIFICATE OF SERVICE

Note: If counsel for any other party believes that the information submitted is inaccurate or incomplete, counsel may so advise the Clerk within 7 calendar days by letter, with copies to all other parties, specifically referring to the challenged statement.

**CONSOLIDATED CASES WITH ATT**

*ATT v. FCC*, DC Circuit Court of Appeals, Case No. 18-1294 (Lead case);

*APPA v. FCC*, DC Circuit Court of Appeals, Case No. 18-1305;

*City of Eugene, Oregon et al. v. FCC*, DC Circuit Court of Appeals, Case No. 18-1330

**OTHER CASES INVOLVING THE SAME ISSUES:**

The following cases were ordered to transfer to the 9th Circuit Court of Appeals on January 10, 2019.

*Sprint v. FCC*, 9th Circuit Court of Appeal, Case No. 19-70123

*Verizon v. FCC*, 9th Circuit Court of Appeal, Case No. 19-70124

*Puerto Rico Telephone v. FCC*, 9th Circuit Court of Appeal, Case No. 19-70125

*City of San Jose, et al. v. FCC*, 9th Circuit Court of Appeal, Case No. 19-70144

*Seattle, et al. v. FCC*, 9th Circuit Court of Appeal, Case No. 19-80136

*Huntington Beach, et al. v. FCC*, 9th Circuit Court of Appeal, Case No. 19-70146

*Montgomery County, Maryland v. FCC*, 9th Circuit Court of Appeal, Case No. 19-70147

*City and County of San Francisco v. FCC*, 9th Circuit Court of Appeal, Case No. 19-70145

*City of North Little Rock, Arkansas v. FCC*, 9th Circuit Court of Appeals, Case No. 19-70148

*City of Portland, Oregon v. FCC*, 9th Circuit Court of Appeal, Case No. 18-72689

**CERTIFICATE OF SERVICE**

I hereby certify that on January 28, 2019 I filed the foregoing with the Clerk of the United States Court of Appeals for the DC Circuit through the CM/ECF system.

Participants in the cases are all registered CM/ECF and will be served by the CM/ECF system.

/s/ Joseph Van Eaton  
Joseph Van Eaton  
Best Best & Krieger LLP

January 28, 2019