



Michael T. Sullivan

partner

For more than 23 years, Mike has provided legal guidance to telecommunications companies in connection with issues relating to federal, state and local law, including representation in state regulatory proceedings, and federal district and appellate court cases across the nation.

Mike has more than two decades of experience working with wireline and wireless telecommunications companies on issues relating to structure access, rights-of-way, interconnection, colocation, intercarrier compensation and rate-setting.

Mike has represented clients in a wide range of commercial disputes, including antitrust, consumer fraud, breach of contract and warranty, toxic tort, and securities litigation.

WIRELESS & TELECOMMUNICATION

Mike's current practice focuses on representing telecommunications companies in negotiations and litigation with respect to pole attachment, conduit, right-of-way and easement agreements, in the capacity both as pole owners and attachers, with an emphasis on deployment of next generation small cell wireless technologies. He provides legal guidance to telecommunications companies on a nationwide basis regarding their rights and obligations as respects access to poles, ducts and other structures with respect to investor-owned utilities, municipalities and municipally owned utilities, cooperatives and electric membership corporations, and private parties.

CONTACT

msullivan@porterwright.com
312.756.8484
www.porterwright.com

321 North Clark Street
Suite 400
Chicago, IL 60654

EDUCATION

Harvard University Law School,
J.D., *cum laude*, 1993

Duke University, A.B., *summa cum laude*, 1990

SERVICES

Wireless & Telecommunications

Litigation

- Antitrust litigation
- Arbitration and mediation
- Commercial litigation
- Securities litigation

Antitrust & Consumer Protection

Since 1996, Mike has litigated contested hearings before regulatory agencies as well as in state and federal courts across the country. He has represented telecommunications companies in arbitrations, cost dockets, intercarrier compensation and access disputes, and consumer complaint cases brought before state utility commissions and in state and federal court. In addition, Mike has represented telecommunications entities in Sections 251 and 252 and Section 271 proceedings before the Federal Communications Commission and in related state and federal court litigation.

Representative Matters

- Negotiated pole attachment, right-of-way and easement agreements for national telecommunications company in its capacity as pole owner and wireline and wireless attacher, with investor-owned utilities, municipalities, cooperatives and private parties
- Analyzed draft ordinances regarding regulation of small cell wireless attachments
- Served as lead counsel for telecommunications company in litigation against municipally owned utility regarding nondiscriminatory rates and terms for pole access, from evidentiary hearings before state utilities commission through appeal to Texas Supreme Court
- Represented wireless telecommunications company in pre-litigation dispute with major tower company regarding deployment of nationwide first responder broadband network
- Represented telecommunications companies in various easements and rights of way disputes
- Represented incumbent local exchange carrier in disputes regarding access to its ducts and conduits as well as access to its network maps and records
- Served as lead counsel to incumbent local exchange carriers in two lawsuits against prepaid calling providers for evasions of originating switched access charges

LITIGATION

For more than 25 years, Mike has represented clients in a wide range of commercial disputes, including antitrust, consumer fraud, breach of contract and warranty, toxic tort, and securities litigation, as well as trusts and estate litigation. Mike is experienced in all aspects of commercial litigation, including oral and written discovery, fact and expert depositions, preparation of expert reports, brief writing, oral argument, negotiating and drafting settlement agreements, and pre-trial and trial preparation.

Representative Matters

- Represented linen supply company in RICO case and nation-wide class action litigation alleging consumer fraud and deceptive trade practices
- Represented international bank in connection with Enron litigation. Served as counsel for bank in several related cases in which the client had assumed lead responsibility among numerous co-defendants, responsible for developing discovery, expert witness and trial strategies and coordinating with other co-defendants
- Served as lead counsel to incumbent local exchange carriers in two lawsuits against prepaid calling providers for evasion of originating switched access charges
- Represented international chemical company in multi-district vitamins antitrust litigation
- Served as lead counsel for incumbent local exchange carrier in litigation against municipally owned utility regarding nondiscriminatory rates and terms for access to poles, from evidentiary hearing before Public Utilities Commission of Texas through appeal to Texas Supreme Court
- Handled pre-trial preparation and jury selection in asbestos cases pending in state courts in Madison County, Illinois, on behalf of multinational chemical company
- Served as lead counsel for a Canadian manufacturer of tractor trailer panel in a breach of warranty case in federal court in Wisconsin

- Represented state hospital association in challenge to emergency rules promulgated by Illinois Health Facilities Planning Board

BAR ADMISSIONS

- Illinois
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Northern District of Florida

PROFESSIONAL ASSOCIATIONS

- American Bar Association, Section of Public Utility, Communications and Transportation Law

COMMUNITY

- Cabrini Green Legal Aid, Pro bono Volunteer, 2017-2019
- City of Chicago, Special Service Area #22, Commissioner, 2016-present; Treasurer, 2018-2020
- Legal Council for Health Justice, formerly AIDS Legal Council of Chicago, Director, 2010-2018; Board Vice President, 2014-2016, Board President 2016-2018
- Chicago Market, A Community Coop, Director, 2015-2017
- About Face Theatre, Director, 2005-2011; Board Secretary 2006-2008; Board Vice President 2008-2011