

WAIVER OF PRIVILEGE AND CONFIDENTIALITY – ARBITRATION

Name of Party: _____

The Party named above, by its duly authorized officer or other representative, hereby grants a limited waiver of confidentiality or claimed privilege arising from, or other objection to the disclosure of, communications or submissions made during the course of arbitration proceedings held or sponsored by the Relocation Payment Clearinghouse LLC (“RPC”). The Party further consents to the RPC’s disclosure of such communications or submissions to the Federal Communications Commission (“FCC”). This limited waiver includes all statutory, administrative and common law privileges or rights to confidentiality specified in the rules or statutes governing arbitration adopted by any applicable state, federal authority or arbitral body, including without limitation federal or state courts.

The Party further agrees that it shall not: (i) call as a witness or attempt to compel the testimony of the RPC or any RPC Arbitrator; (ii) subpoena or attempt to compel production of any records of the RPC or any RPC Arbitrator; or (iii) sue or make a claim against the RPC or any RPC Arbitrator in any litigation or other adversarial proceeding of any nature, including administrative proceedings before the FCC, with respect to any arbitration or related proceeding, ruling or decision made or conducted by an RPC Arbitrator or any information obtained by an RPC Arbitrator in connection with such arbitration when acting within the scope of his or her duties.

Signature

Printed name of individual signing waiver

Title of individual signing waiver

Date

Contact Information:

Address: _____

Telephone: _____

Fax: _____

Email: _____

INSTRUCTIONS FOR COMPLETING WAIVER OF PRIVILEGE AND CONFIDENTIALITY FORM

The Federal Communications Commission ("FCC") has directed the Relocation Payment Clearinghouse LLC ("RPC") to assist C-band stakeholders in resolving financial disputes that may arise during the course of the reconfiguration of the C-band. If the parties are unable to resolve a dispute which the RPC has arbitrated, the RPC is required to submit a complete record of the dispute, including the rulings and decision of the Arbitrator, to the FCC for review.

A number of states, federal agencies, courts and arbitral bodies have adopted rules or statutes regulating the disclosure of arbitration communications, submissions, records or rulings to non-parties. Arbitral communications or submissions may also be protected by other statutory and common law privileges. The attached form grants a limited waiver of such rights and privileges in order to permit the RPC to comply with its obligation to submit to the FCC a complete record, including without limitation findings, rulings and recommendations by the RPC Arbitrator. The waiver expressly permits the RPC to disclose to the FCC certain arbitration communications, submissions and/or records which might otherwise be protected, including without limitation any record of pre-arbitration mediation, statements or submissions (including exhibits) offered or made by the parties before or during the course of the arbitration, the substance of any communication made during the arbitration, and any opinion or decision of the Arbitrator.

Should a dispute arise whether a particular arbitration communication or submission falls within the scope of the limited waiver granted by this form, the RPC Arbitrator shall have sole and absolute discretion to decide the issue, and neither the source of the communication nor any other party to the arbitration shall have standing or other capacity to appeal, challenge or otherwise dispute such decision.

This waiver does **not** apply to disclosures by the RPC or RPC Arbitrator to any person or entity other than the parties to the arbitration or the FCC, nor does it apply to any communications or other information not disclosed to the RPC or RPC Arbitrator, e.g., confidential communications exclusively between a party and that party's attorney.

By executing this form, you also agree not to: (i) call or seek the testimony, by deposition or otherwise, of any RPC Arbitrator relative to an arbitration held pursuant to this dispute resolution program; (ii) subpoena or otherwise attempt to compel the production of any records of the RPC or any RPC Arbitrator; or (iii) sue or make a claim against the RPC or any RPC Arbitrator in any litigation, including administrative proceedings before the FCC, arising from or relating to this dispute resolution program. This provision is intended to permit the RPC and RPC Arbitrators to fulfill their obligations to the FCC, and to exercise their independent and impartial judgment in the arbitration process, free of concerns about potential entanglement in post-arbitration challenges, claims or other proceedings. This provision does **not** preclude a party from challenging the merits of an RPC Arbitrator's arbitral award.

You are encouraged to obtain the advice of counsel before executing this form.

In completing the waiver:

1. Name of Party – Please provide the full legal name of your organization.
2. Contact information – Please provide complete contact information for the individual who signed this waiver.
3. Submit a completed copy of the [Waiver of Privilege and Confidentiality Form](#) (Arbitration) in PDF format to RPCDisputes@squirepb.com.