

**Report of the Amateur Radio Legal Defense and Assistance Committee
The American Radio Relay League
2009 Second Meeting of the Board of Directors**

Committee Members: Director Jay Bellows, KØQB, Chairman; Director Frank Fallon, N2FF; Vice Director, Mike Raisbeck, K1TWF, Vice Director Cliff Ahrens, KØCA, General Counsel Christopher Imlay, W3KD and Jim O'Connell, W9WU.

Committee Activities

This committee is charged with evaluating individual requests for financial assistance from amateurs involved in antenna litigation. The sole source of funding awards is the ARRL Antenna Defense Fund.

As reported to the board in January of this year the committee received a request to assist Alec Zubarau, WB6X, of Palmdale, California, who has been ordered by the city to dismantle his previously approved antenna and support structure. Mr. Zubarau's attorney is Leonard Shaffer, WA6QHD, who is representing WB6X *pro bono*. Because of the unique circumstances and the likely impact of an adverse decision upon a large number of amateur radio operators the committee voted to contribute \$5000 toward the non-attorney fee costs and expenses of preparing for the February 2009 trial of this matter.

The trial was held and WB6X received a favorable decision. His attorney was in the process of filing a motion to tax his costs to the City when at the last moment the City of Palmdale has now filed a Notice of Appeal. Now that the matter is at the appellate level the committee determined the reasons for providing funds, namely, the egregious nature of the city including the order to remove a previously approved antenna tower; the potential impact on the large number of amateurs in communities throughout Southern California and the financial participation of local clubs and Amateurs in WB6X's defense, are even stronger. The committee voted to authorize WB6X's attorney to apply any unused portion of the \$5,000 contribution to appellate costs.

The grant was made with the understanding that if Zubarau is successful and the court awards him his costs, any recovery up to the \$5,000 grant will be returned to ARRL.

There are no other matters presently pending before the committee.

Future Activities

The committee remains ready to receive, review and evaluate other requests for assistance on an ongoing basis.

Jay Bellows, KØQB
Chairman