

# Social Networking in Law Enforcement

## List of Useful Citations

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### First Amendment, Retaliation:

#### • U.S. Supreme Court:

*Garcetti v. Ceballos*, 126 S. Ct. 1951 (2006)

*City of San Diego v. Roe*, 125 S. Ct. 521 (2004)

*Rankin v. McPherson*, 107 S. Ct. 2891 (1987)

*Connick v. Myers*, 103 S. Ct. 1684 (1983)

#### • Courts other than the U.S. Supreme Court:

*Hill v. City of Chicago*, 2010 WL 3735723 (N.D. Ill. 2010)

*Foley v. Town of Randolph*, 598 F.3d 1 (1<sup>st</sup> Cir. 2010)

*Desrochers v. City of San Bernardino*, 572 F.3d 703 (9<sup>th</sup> Cir. 2009)

*Ranck v. Rundle*, 2009 WL 1684645 (S.D. Fla. 2009)

*Herdegen v. City of Los Angeles*, 2008 WL 224011 (Cal. Ct. App. 2008)

*Nixon v. City of Houston*, 511 F.3d 494 (5<sup>th</sup> Cir. 2007)

*Dible v. City of Chandler*, 515 F.3d 918 (9<sup>th</sup> Cir. 2008)

*See v. City of Elyria*, 502 F.3d 484 (6<sup>th</sup> Cir. 2007)

*Gonzales v. City of Calexico*, 2007 WL 2001180 (S.D. Cal. 2007)

*Golt v. City of Los Angeles*, 2006 WL 3804367(9<sup>th</sup> Cir. 2006)

*Miller v. Jones*, 444 F.3d 929 (7<sup>th</sup> Cir. 2006)

*Wallace v. Suffolk Cty. Police Dep't*, 396 F. Supp. 2d 251 (E.D.N.Y. 2005)

*Signore v. City of Montgomery*, 354 F. Supp. 2d 1290 (M.D. Ala. 2005)

### First Amendment, Discovery of Identity of Anonymous Posters:

*Juzwiak v. Doe*, 2 A.3d 428 (N.J. Superior Ct., App. Div. 2010)

*In re Anonymous Online Speakers*, 611 F.3d 653 (9<sup>th</sup> Cir. 2010)

*Salehoo Group, Ltd. V. ABC Co.*, 2010 WL 2773801 (W.D. Wash. 2010)

*The Mortgage Specialists, Inc. v. Implode-Explode Heavy Indus., Inc.*, 999 A.2d 184 (N.H. Sup. Ct. 2010)

*McVicker v. King*, 266 F.R.D. 92 (W.D. Pa. 2010)

*In re Rule 45 Subpoena Issued to Cablevision Systems Corp. Regarding IP Address 69.120.35.31*, 2010 WL 2219343 (E.D.N.Y. 2010)

*Sedersten v. Taylor*, 2009 WL 4802567 (W.D. Mo. 2009)

*Cohen v. Google, Inc.*, 887 N.Y.S. 2d 424 (Supreme Ct., N.Y. Cty. 2009)

*Solers, Inc. v. Doe*, 977 A.2d 941 (D.C. Ct. App. 2009)

*Doe I v. Ciolli*, 611 F. Supp. 2d 216 (D. Conn. 2009)

*Enterline v. Pocono Med. Ctr.*, 2008 WL 5192386 (M.D. Pa. 2008)

*Doe I v. Individuals*, 561 F. Supp. 2d 249 (D. Conn. 2008)

*Krinsky v. Doe 6*, 72 Cal. Rptr. 3d 231 (Cal. Ct. App. 2008)

*Greenbaum v. Google, Inc.*, 845 N.Y.S.2d 695 (Supreme Ct., N.Y. Cty. 2007)

*McMann v. Doe*, 460 F. Supp. 2d 259 (D. Mass. 2006)

*Best Western Int'l, Inc. v. Doe*, 2006 WL 2091695 (D. Ariz. 2006)

*Doe I v. Cahill*, 884 A.2d 451 (Del. Sup. Ct. 2005)

*Sony Music Entertainment Inc. v. Does 1 – 40*, 326 F. Supp. 2d 556 (S.D.N.Y. 2004)

*Polito v. AOL Time Warner, Inc.*, 2004 WL 3768897 (Pa. Ct. Common Pleas 2004)

*Immunomedics, Inc. v. Doe*, 775 A.2d 773 (N.J. Superior Ct. 2001)

### **First Amendment, Miscellaneous Issues:**

#### **• U.S. Supreme Court:**

*Reno v. ACLU*, 117 S. Ct. 2329 (1997)

#### **• Courts other than the U.S. Supreme Court:**

*People v. Hickman*, 988 P.2d 628 (Colo. 1999)

## **Privacy:**

- **Constitution:** The Fourth Amendment provides in pertinent part:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated . . . .

- **U.S. Supreme Court:**

*City of Ontario v. Quon*, 130 S. Ct. 2619 (2010)

*O'Connor v. Ortega*, 107 S. Ct. 1492 (1987)

- **Courts other than the U.S. Supreme Court:**

*Jennings v. Jennings*, 697 S.E.2d 671 (S.C. Ct. App. 2010)

*Crispin v. Christian Audigier, Inc.*, 2010 WL 2293238 (C.D. Cal. 2010)

*Moreno v. Hanford Sentinel, Inc.*, 91 Cal. Rptr. 3d 858 (Cal. Ct. App. 2009)

*Brown-Criscuolo v. Wolfe*, 601 F. Supp. 2d 441 (D. Conn. 2009)

## **Discovery – Attorney-Client Privilege Issues:**

*Green v. Beer*, 2010 WL 3422723 (S.D.N.Y. 2010)

*Stengart v. Loving Care Agency, Inc.*, 990 A.2d 650 (N.J. Sup. Ct. 2010)

*Forward v. Foschi*, 27 Misc. 3d 1224(A) (N.Y. Supreme Ct., Westchester Cty. 2010)

*Ranch v. Cty. of Boise*, 2009 WL 3669741 (D. Idaho 2009)

*Ledbetter v. Wal-Mart Stores, Inc.*, 2009 WL 1067018 (D. Colo. 2009)

*U.S. v. Etkin*, 2008 WL 482281 (S.D.N.Y. 2008)

*Scott v. Beth Israel Med. Ctr. Inc.*, 847 N.Y.S.2d 436 (Supreme Ct., N.Y. Cty. 2007)

*Long v. Marubeni Am. Corp.*, 2006 WL 2998671 (S.D.N.Y. 2006)

*Curto v. Med. World Communications, Inc.*, 2006 WL 1318387 (E.D.N.Y. 2006)

*In re Asia Global Crossing, Ltd.*, 322 B.R. 247 (S.D.N.Y. 2005)

*People v. Jiang*, 33 Cal. Rptr. 3d 184 (Cal. Ct. App. 2005)

### **Other Discovery Issues:**

*Barnes v. CUS Nashville, LLC*, 2010 WL 2265668 (M.D. Tenn. 2010)  
*EEOC v. Simply Storage Mgmt. LLC*, 2010 WL 3446105 (S.D. Ind. 2010)  
*Major Tours, Inc. v. Colorel*, 2009 WL 3446761 (D.N.J. 2009)  
*Bass v. Miss Porter's School*, 2009 WL 3724968 (D. Conn. 2009)  
*Arteria Property PTY Ltd. v. Universal Funding V.T.O., Inc.*, 2008 WL 4513696 (D.N.J. 2008)  
*Ex parte Cooper Tire & Rubber Co.*, 987 So.2d 1090 (Ala. Sup. Ct. 2007)  
*Theofel v. Farey-Jones*, 359 F.3d 1066 (9<sup>th</sup> Cir. 2004)

### **Civil Litigation, Miscellaneous:**

*Mackelprang v. Fidelity Nat'l Title Agency of Nevada*, 2007 WL 119149 (D. Nev. 2007)

### **Evidence:**

*U.S. v. Drummond*, 2010 WL 1329059 (M.D. Pa. 2010)  
*Victaulic Co. v. Tieman*, 499 F.3d 227 (3d Cir. 2007)  
*Lorraine v. Markel Am. Ins. Co.*, 241 F.R.D. 534 (D. MD. 2007)  
*Telewizja Polska USA, Inc. v. EchoStar Satellite Corp.*, 2004 WL 2367740 (N.D. Ill. 2004)  
*In re Homestore.Com, Inc. Securities Lit.*, 347 F. Supp. 2d 769 (C.D. Cal. 2004)

### **Discipline cases:**

*State v. Mandi*, 2009 WL 2869943 (N.J. Superior Ct., App. Div. 2009)  
*Cromer v. Lexington-Fayette Urban Cty. Gov't*, 2008 WL 4000180 (E.D. Ky. 2008) [Also see, 2009 Ky. App. Unpub. Lexis 71]  
*Pietrylo v. Hillstone Restaurant Group*, 2008 WL 6085437 (D.N.J. 2008)  
*Garrity v. John Hancock Mutual Life Ins. Co.*, 2002 WL 974676 (D. Mass. 2002)  
*ADC Telecommunications ERISA Lit.*, 2005WL2250782 (D. Minn. 2005)

### **Statutes:**

18 U.S.C. § 2701, et seq.

47 U.S.C. § 551 et seq.

### **Other Sources:**

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How Private is Facebook, 10/4/2010 N.Y.L.J. § 2, col.2, § 2 (2010)

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Data Security and Privacy Law: Combating Cyberthreats §9.79, Employer Policies (2010)

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Whose Space?, 6 Internet Law and Strategy 1 (2008)

The Proof is in the Posting – How Social Media is Changing the Law, 73 Tex. B. J. 188 (2010)

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2006 Duke L. and Tech. Rev. 2, Anti-Employer Blogging (2006)

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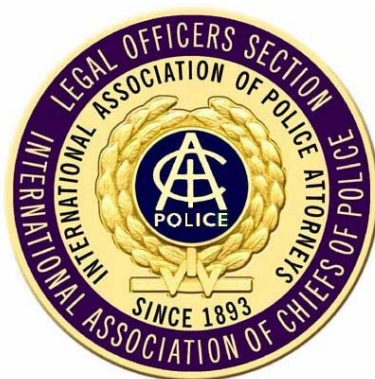
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