

Privacy

Whalen vs. Rowe - Supreme Court deemed that the state could maintain a state database of prescription medications, given that it was compliant with privacy laws.

U.S. vs. Warshack - owner of a company had emails that were given up by the ISP to government agents. It was found that the government agents and the ISP did violate the defendant's Fourth Amendment right, but acted in good faith of the Stored Communications Act.

John Doe, Inc vs. Mukasey - Two ISPs received a National Security Letter, barring them from talking to their attorneys about giving up user information. Both ISPs filed suit anonymously (the other was *Doe vs Gonzales*). The case was won and then appealed by the government and combined into one case. The 2nd Circuit decision was that the National Security Letters were a violation of the 1st Amendment because of their secrecy rules. "§2709(c) and §3511(b) are unconstitutional only to the extent that they fail to provide for government-initiated judicial review."

U.S. vs. Jones - Police attached a GPS device to a person's car without their consent and after the warrant had expired. It was found to be a violation of the 4th Amendment.

U.S. vs Fricosu - FBI searched a house and found encrypted hard drives. Defendant did not want to produce the password, claiming a violation of 5th Amendment. The defendant was granted immunity and compelled to give up the password under the All Writs Act.

Bohach vs. City of Reno - Two police officers claimed an invasion of privacy when the city investigated their correspondence on the city-issued equipment. The District of Nevada Court favored the city because it disclosed its policies to employees beforehand.

Quon vs. Arch Wireless - Two police officers exceeded their limit on phones provided to the city by Arch Wireless. The computer policy stated that they had no right to privacy. They sued, claiming a breach of privacy. The Court decided that the search was justified because they repeatedly went over.

Fraser vs. Nationwide Mutual Insurance Co. - Nationwide agent was fired after sharing internal information with a competitor. Nationwide searched its email servers to confirm this, and the agent sued, claiming violation of ECPA. The holding sided with Nationwide, claiming it could search its own email server.

Doe vs. GTE Corp. - Unknown persons recorded people in a sports locker room and sold them online. Because they did not know who did this, they sued the ISP after the ISP refused to take down the website it hosted. The Court claimed no wrongdoing on the ISP's part due to it being an interactive services provider instead of a content provider.

Becker vs. Toca - Husband claimed that his soon-to-be ex-wife installed a virus on his computer, claiming fault of the Federal Wiretap Act, Stored Communications Act, Computer Fraud and Abuse Act, and the LA Electronic Surveillance Act. Only one claim was upheld - Computer Fraud and Abuse Act.

Reno vs. Condon - Several states were selling driver's information. After Congress passed Driver's Privacy Protection Act, South Carolina sued claiming a violation of 10th and 11th Amendment. The Supreme Court held that the federal government can regulate when information

from one state is sold to another, but could not regulate when the information was sold within the state.

U.S. vs. Industrious Kid, Inc. - website for children did not disclose properly to parents of their kids use of the website. They settled with the FTC.

TransUnion Corp. (FTC case) - credit reporting agency made targeted marketing lists using consumer credit data. FTC ordered agency to stop on the grounds that it was not a "permissible purpose".

Google Inc. (FTC case) - Google Buzz left users still subscribed to features that they did not know. Google settled with the FTC.

RIAA vs. Verizon Internet Services, Inc. - RIAA tried to force Verizon to give up user information. The D.C. Circuit Court sided with Verizon, claiming a subpoena could not be issued.

Accuracy

Boris vs. ChoicePoint Services - Plaintiff's insurance agent would not renew her insurance due to a report of 4 house fires. She sued ChoicePoint after calling and they never corrected her file. The Court sided with the plaintiff.

Rogan vs. City of Los Angeles - Rogan was mistakenly arrested multiple times and officers failed to update case notes. Court found fault in the city for gross negligence.

Arizona vs. Evans - Evans was found with marijuana in his car after being stopped going down the wrong way on a one way street; he had an outstanding warrant. Even though the warrant was quashed 17 days before, the marijuana evidence was admissible in court due to "good faith".

Blumenthal vs. Drudge - Drudge posted that Blumenthal had abused his wife on AOL. AOL was found not liable.

Hermes vs. Pfizer, Inc. - she filed suit against Pfizer after not being given the side effects of the medication prescribed to her. The Court favored with her.

Regulation of Internet Content

Zeran vs. AOL -