

# ETHICS OF SOCIAL MEDIA

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## Overview

### 1. Self-help discovery

- Disciplinary Rules
- SCA
- Constitution
- Public Policy

### 2. Formal discovery

- Social media not immune
- Threshold showing req'd
- SCA compelled consent

### 3. Admissibility



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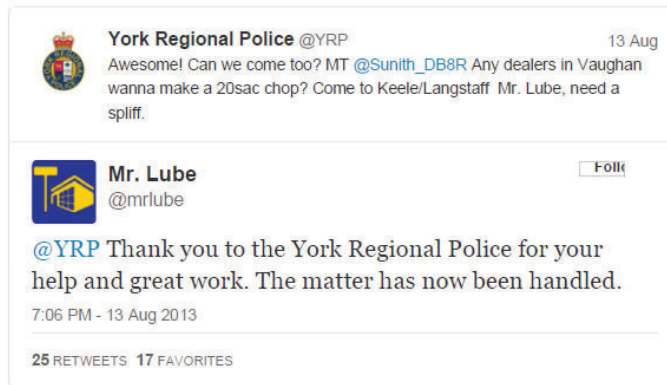
2

# Internet = Public

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## Man tweets for weed; job goes up in smoke

By **Chandler Friedman** and **Dorrine Mendoza**, CNN  
updated 7:45 AM EDT, Thu August 15, 2013 |



Trying to get weed delivered to your workplace is probably not the smartest thing to do.

### STORY HIGHLIGHTS

Tweeting for pot costs man his

(CNN) -- *Note to self:* When soliciting for drugs on Twitter, try a direct message.

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## Job applicant outraged after company shares her bikini photo on Instagram as 'PSA': 'This is not doing you any favors'

ALEX LASKER, IN THE KNOW  
Oct 2nd 2019 1:10PM



## An intern applicant says a marketing company posted her bikini photo on Instagram in an attempt to shame her

Kelly McLaughlin Oct 2, 2019, 1:03 PM



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[Answer Bar: Young Attorney Challenges \(Ethics\)](#)

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24<sup>th</sup> Annual Advanced Patent Law Institute session  
"Ethics of Social Media"