

Lyrissa Barnett Lidsky

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ACADEMIC & LEGAL EMPLOYMENT

University of Florida Fredric G. Levin College of Law (since 1994)

Associate Dean for International Programs (2013-present)

Stephen C. O'Connell Chair in Law (2008-present)

Associate Dean for Faculty Development (2005-2006)

University of Florida Research Foundation Professor (2001-2003) (2005-2007)

Professor of Law (2000-present)

Associate Professor of Law (1997- 2000)

Assistant Professor of Law (1994-1997)

Courses Taught: Torts, Media Law, Cyberlaw, Constitutional Law, Advanced Torts, Jurisprudence, Professional Responsibility, First Amendment Law, and Business Torts.

Online Teaching: "Constitutional Protection for Freedom of Expression," part of a MOOC developed by eight UF law professors and available on Coursera. The course, which is titled *The Global Student's Introduction to US Law*, was selected from over 200 online courses to receive UF's 2015 Quality Assurance Online Education Excellence Award.

Teaching Abroad: UF Study Abroad in France (Global Cyberlaw, Business Torts); UF Spring Break Course in Belize (Assisted Professor Tom Ankersen with legal skills instruction); UF Law Program in Warsaw, Poland (Introduction to American Law, Media Law).

Teaching Awards:

Teacher of the Year (2015) (awarded by students)
Faculty Graduation Speaker (2004, 2006, 2012) (selected by students)
Teacher of the Year (2002-03) (awarded by students)
Teacher of the Year (1996-97) (awarded by faculty committee)

PUBLICATIONS

Books

MASS MEDIA LAW: CASES AND MATERIALS, with Teachers' Manual.
(Foundation Press) (9th ed. 2015)
(Co-Authors: Marc A. Franklin, David A. Anderson & Amy Gajda).

FIRST AMENDMENT LAW: CASES AND MATERIALS, with Teacher's Manual
(Aspen) (1st ed. 2008 & 2nd ed. 2013)
(Co-Authors: Ronald Krotoszynski, Jr, Steven Gey, Christina Wells).

MASS MEDIA LAW: CASES AND MATERIALS, with Teachers' Manual created for 8th edition
(Foundation Press) (7th ed. 2005 & 8th ed. 2011)
(Co-Authors: Marc A. Franklin and David A. Anderson).

FREEDOM OF THE PRESS, Greenwood Press Series on the Constitution
(Co-Author: R. George Wright) (2004).

TORTS: THE CIVIL LAW OF REPARATION FOR HARM DONE BY WRONGFUL ACT
(Matthew Bender 2009, 2014) (Co-authors: Joseph W. Little and Robert Lande).

Book Chapters

*Recent Developments in the Law of Social Media, in COMMUNICATIONS LAW
IN THE DIGITAL AGE 2013 (PLI) (November 2014)*
(Co-author: RonNell Andersen Jones).

*Recent Developments in the Law of Social Media, in COMMUNICATIONS LAW
IN THE DIGITAL AGE 2013 (PLI) (November 2013)*
(Co-author: RonNell Andersen Jones).

*Recent Developments in the Law of Social Media, in COMMUNICATIONS LAW
IN THE DIGITAL AGE 2012 (PLI) (November 2012)*
(Co-author: RonNell Andersen Jones).

*Legal Pitfalls of Social Media Usage, in SOCIAL MEDIA: USAGE & IMPACT
(Hana Noor Al-Deen & John Allen Hendricks, eds., 2011)*

(Co-Author: Daniel C. Friedel).

Articles

Work in Progress, *The Press and Constitutional Self-Help*
(Co-author: RonNell Andersen Jones).

OnionDNS: A Seizure-Resistant Top-Level Domain
(Co-authors: Patrick Traynor, Rachael L. Jones et. al.)
(Submitted for peer review)

Privacy and the New Press, JOTWELL (March 16, 2015)
(reviewing Amy Gajda, *The First Amendment Bubble: How Privacy and Paparazzi Threaten a Free Press* (2015)), <http://conlaw.jotwell.com/privacy-and-the-new-press>.

Who is the Reasonable Reader in a Networked World?(accepted for publication in *Va. J. of Soc. Pol'y & L.*, forthcoming Fall 2015).

Not a Free Press Court? 2012 B.Y.U. L. Rev. 1819 (2012) (symposium), available at ssrn: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2161037.

How Not to Criminalize Cyberbullying, 77 MO. L. REV. 693 (2012)
(Co-author: Andrea Pinzon) (symposium), available at ssrn: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2097684.

Public Forum 2.1: Public Higher Education Institutions and Social Media, 14 FL. COASTAL L. REV. 55 (2012) (symposium) (Co-author Robert Jerry II).

U.S. Media Law Update, __ MEDIA & ARTS L. REV. ____ (2012) (Australia).

Incendiary Speech and Social Media, 44 TEX. TECH L. REV. 147 (2011) (symposium).

Public Forum 2.0, 91 BOSTON U. L. REV. 1975 (2011), available at ssrn: <http://papers.ssrn.com/abstract=1787962>.

Government Sponsored Social Media and Public Forum Doctrine: Perils and Pitfalls, 19 THE PUBLIC LAWYER 2 (Summer 2011).

U.S. Media Law Update, 15 MEDIA & ARTS L. REV. ____ (Dec. 1, 2010) (Australia).

Anonymity in Cyberspace: What Can We Learn from John Doe?, 50 BOSTON COLLEGE L. REV. 1373 (2009), available at ssrn: <http://ssrn.com/abstract=1481280>.

Nobody's Fools: The Rational Audience as First Amendment Ideal 2010 U. ILL. L. REV. 799 (2009), available at ssrn: <http://ssrn.com/abstract=1365979>. Reprinted in FIRST AMENDMENT LAW HANDBOOK, 2010-2011 EDITION (Rodney Smolla, ed.).

Where's the Harm?: Free Speech and the Regulation of Lies, 65 WASH. & LEE L. REV. 1091 (2008), available at ssrn: <http://ssrn.com/abstract=1397611>.

The Phases and Faces of the Duke Lacrosse Controversy: A Conversation, 19 SETON HALL SPORTS & ENT. L.J. 181 (2009) (published remarks).

U.S. Media Law Update, 13 MEDIA & ARTS L. REV. 383 (2008) (Australia).

Medium-Specific Regulation of Attorney Advertising: A Critique, 18 FL. J. L. & PUBLIC POLICY 259 (Fall 2007) (Co-Author: Tera Peterson), available at <http://ssrn.com/abstract=1021278>.

U.S. Media Law Update, 12 MEDIA & ARTS L. REV. 387 (2007) (Australia).

Authorship, Audiences and Anonymous Speech, 82 NOTRE DAME L. REV. 1537 (2007) (Co-Author: Thomas F. Cotter), available at <http://ssrn.com/abstract=925736>.

Brandenburg and the United States War on Incitement Abroad: Defending a Double Standard, 37 WAKE FOREST L. REV. 1009 (2002).

Cybergossip or Securities Fraud? Some First Amendment Guidance in Drawing the Line, 5 wallstreetlawyer.com 15 (Glasser Legal Works 2001), reprinted at www.ucdavis.bizlawjournal.edu. (Co-author: Michael Pike).

Silencing John Doe: Defamation and Discourse in Cyberspace, 49 DUKE L.J. 855 (2000), available at <http://ssrn.com/abstract=1147726>.

Book Review, *The Reasonable Woman and the Warrior Code*, in Jurist: Books-on-Law (www.jurist.law.pitt.edu/lawbooks/reviews.htm) (2000).

Prying, Spying and Lying: Media Intrusions and What the Law Should Do About Them, 73 TUL. L. REV. 173 (1998), available at <http://ssrn.com/abstract=241031>.

Book Review, *SLAPPS: Getting Sued for Speaking Out*, in FREE SPEECH YEARBOOK (1997) (Co-author: Joseph Beatty).

Defensor Fidei: Robert Summers' Post-Realist Formalism, 47 FLA. L. REV. 815 (1995).

Maintaining Order in the Post-Strike Workplace: Employee Expression and the Scope of Section 7, 15 BERKELEY J. OF EMPLOYMENT AND LABOR LAW 87 (1994).

Intrusion and the Investigative Reporter, 71 TEX. L. REV. 433 (1992).

Other Publication Activities

Magazine Article, *How Not to Respond to Bad Reviews*, BUSINESS IN THE HEART OF FLA. MAG., April, 2015 (co-author Rachael L. Jones).

Blogger, PrawfsBlawg, available at <http://prawfsblawg.blogs.com/> (Jan. 2010-present) (focusing on Media Law, First Amendment Law, and the production of scholarship).

Sample Blog Post: “*Hot News*” Misappropriation: Implications for Bloggers? For *Bloomberg News?*, Apr. 2, 2010, available at <http://prawfsblawg.blogs.com/prawfsblawg/2010/04/hot-news-misappropriation-implications-for-bloggers.html>

Op-Ed, *Patriotism, Profanity, and Principles*, NT’L L. J., May 6, 2013 (co-author Lisa McElroy).

ACADEMIC AND COMMUNITY SERVICE

Service to the Law School

Ex Officio Member of International Programs Committee

Organizer of “Foreign Enrichment” law courses taught by international faculty, including Global Cyberlaw and Business and Legal Environments of Latin America. Negotiator of student and faculty exchange agreements with various international universities. Recruiter of and advisor to students and faculty about international exchange and study abroad opportunities. (2013-present).

Drafter of UF Law’s Strategic Plan for International Programs (2014-2015), working in conjunction with the Committee on International Programs & Comparative Law (2013-present). Plan adopted by faculty in 2015.

Faculty Mentor (2000-present). Advisor to untenured colleagues about scholarship, teaching, and the tenure process.

Director of Study Abroad Program (France) (Summer 2014)

Law School Dean Search Committee (2013-14)

MOOC Committee (2014) (involved in planning and execution of online course that reached over 19,000 students in its first offering)

Chair of Appointments Committee (2011-2013; 2006-2007)

Appointments Committee (1996-1997, 2000-2003; 2006-2007; 2008-2009; 2011-2013)

Chair of Library Director Search Committee (2010)

Promotion & Tenure Committee (Fall 2009, 2003-2005)

Journal Advisory Committee (Fall 2009)

Student Admissions Committee (2007-2008)

Women's Mentoring Program (2005-2006)

Pro Bono Committee (2003-2004)

Chair, Professionalism Committee (1999-2000)

Faculty Development Committee (Fall 1998, 2004-2006)

Professionalism Committee (Fall 1998-present)

Honor Committee (1994-96)

Externship Supervisor and Independent Study Supervisor (numerous years)

Involvement with Student Organizations

Advisor, International Law Society (2013- present)

Organizer, Spanish Conversation Club (2014-15)

Advisor, Sports Law Symposium (2013-present)

Organizer, Student Running Club (2008-2014)

Advisor, Journal of Technology Law & Policy (2011-2012)

Advisor, Journal of Law and Public Policy (2006-2007)

Advisor, Entertainment Law Review (2006-2009)

Advisor, Journal of Technology Law and Policy (2005-2010)

Advisor, UF Law School Democrats (2004-2005)

Advisor, UF College of Law Entertainment & Sports Law Society (1997-98)

Advisor, Law Association for Women (1996-1998)

Advisor, Student ATLA Chapter (2003-2004)

Speaker/Moderator for various events hosted by student organizations, including the Federalist Society, the American Constitution Society, the Law Association for Women, the Florida Law Review, and OUTLAW.

Service to the University

Selected for SECU Academic Leadership Program

UF International Center Advisory Committee (2014-present)

Advisory Board, Center for European Studies (2014-present)

University Senate (1996-97, 1997-98)

Women's Mentoring Program (2008-2010)

Partner, University Center of Excellence in Developmental Disabilities (2005)

Participant, Ethics Panel Discussions (Fall 1995 & Spring 1995)

Thesis & Dissertation Committee Member, College of Journalism (Fall 1996-present). Served as committee member for the thesis and dissertation committees of numerous graduate students.

Academic Service outside the University of Florida

Fulbright Reading Panel (2014-present). Assist with rating of applicants for Fulbright awards to study law in the United States.

Distinguished Alumnus of Duke Talent Identification Program (2011). Assisted with presentations of awards to students being recognized by the program.

Editorial Board Member, *Communications Law and Policy* (peer-reviewed law journal) (2011-present).

Tenure Reviewer (2003-present). Reviewed the work of numerous scholars of First Amendment Law, Media Law, and Cyberlaw.

SELECTED PROFESSIONAL ACTIVITIES AND ASSOCIATIONS

Speaker, *Social Media and Legal Ethics*, University of Costa Rica, June 2015.

Speaker, *Journalism after Ferguson*, Law and Society Conference, May 2015.

Speaker, *The 40th Anniversary of Cox Broadcasting v. Cohn: New Challenges From the Right to Be Forgotten*, ABA Forum on Communications Law, Feb. 2015.

Speaker, *Faculty Conversation with Justice John Paul Stevens*, January 2015.

Dissertation Committee Member (Sandra Schmitz), University of Luxembourg, July 2014.

Speaker, *Social Media at UF*, Administrative Professionals Association, Oct. 2014.

Judge, IT-Lex Technology Law Writing Contest, May 2013.

Speaker, *Using Cyberlaw Issues and Tools to Teach Lawyering Skills*, Global Legal Skills Conference, May 2014

Speaker, *How Social Media Cases Are Reshaping Defamation Law*, University of Melbourne (Australia) Comparative Media Law Conference, April 2014

Attendee, *Legal Issues Concerning Hispanic and Latin American Media*, Media Law Resource Center, March 2014.

Speaker, *The Press and Constitutional Self-Help*, University of Georgia Symposium on the Fiftieth Anniversary of *New York Times v. Sullivan*, November 2013.

Speaker, *Hot Issues in Social Media Law*, Practicing Law Institute: Communications Law in the Digital Age, November 2013.

Speaker and Moderator, IT-Lex E-Discovery Conference, October 2013.

Speaker, *Cyberbullying Now*, Free Speech Discussion Forum at Luxembourg University Faculty of Law, May 2013.

Judge, IT-Lex Writing Contest, May 2013.

Commenter, Yale Free Expression Scholars Conference, May 2013.

Speaker, *Social Media, Journalism, and Free Speech*, UF Women Donors Conference, April 2012.

Speaker, *Should False Statements of Fact Be Protected Under the First Amendment?*, UF Journal of Law and Public Policy Symposium on Media Law, March 2012.

Speaker, *Social Media and Free Speech: The Good, the Bad, & the Unprotected*,

UF Community Leaders Breakfast, February 2012; Eighth Judicial Circuit Bar Association, March 2012.

Speaker, *Social Media in the Workplace*, Association for Academic Women, February 2012.

Abrams Speaker, *How Not to Criminalize Cyberbullying*, Yale Information Society Project, December 2012.

Speaker, *Videotaping Police, Wiretapping Laws & the First Amendment*, ABA Teleconference, December 2012.

Speaker, *Hot Issues in Social Media Law*, Practising Law Institute: Communications Law in the Digital Age, November 2012.

Speaker, *Not a Free Press Court?*, The Supreme Court and the Press Symposium, Brigham Young University Law School, January 2012.

Speaker, *Cyberbullying*, Missouri Law Review Symposium, University of Missouri Law School, February 2012.

Speaker, *Free Press Issues in Cyberspace*, Florida Coastal Law Review Symposium, Florida Coastal Law School, March 2012.

Speaker, *The Press Clause Today*, Southeastern Association of Law Schools, July 2011.

Speaker, Teleconference on Government Sponsored Social Media, Government and Public Sector Lawyers Division, American Bar Association, June 2011.

Speaker, *First Amendment Developments in the U.S. Supreme Court*, Florida Bar Annual First Amendment Law Symposium (2004-2009, 2011-).

Lecturer, Themis Bar Review, *Florida Professional Responsibility*, 2011, 2012.

Speaker, *Criminal Law, The Internet, and the First Amendment*, Texas Tech Law School, April 2011.

Speaker, *Public Forum 2.0*, Florida International University Law School, Jan. 2011.

Speaker, AALS Section on Mass Communication, *The First Amendment of Chief Justice Roberts*, Jan. 2011.

Presenter, Michigan State University, Bits Without Borders: Law, Communications & Transnational Culture Flow in the Digital Age, *All the President's Tweets*, Sept. 2010.

Speaker, UF Constitution Day, *Social Media and the First Amendment*, Sept. 2010.

Distinguished Alumnus Award Recipient, Duke University Talent Identification Program, May 2010.

Speaker, Law & Society Conference, *Government-Sponsored Social Media*, May 2010.

Guest Blogger, PrawfsBlawg, January-April 2010.

Moderator, UF Music Law Conference, March 2010.

Panelist, *Convergences and Conversions: The Merchant of Venice Into the Twenty-First Century*, Interdisciplinary Conference at the University of Florida, March 2010.

Panelist, AALS Section on Women in Legal Education, *The First Amendment Meets Cyberstalking Meets Character and Fitness*, January 2010

Panelist, UF Law School, *Social Media: Promises & Perils*, January 2010.

Participant and Speaker, Boston College Law Review Symposium, *Reputation and Property Meet the First Amendment*, Panel on Anonymity in Cyberspace, April 2009.

Speaker, Southeastern Association of Law Schools Conference, *Con Law Update*, July 2008, 2009.

Faculty Presentation, Wm. Mitchell Law School, *The Implied Audience of First Amendment Speech*, April 2008.

Participant and Speaker, First Amendment Discussion Forum, University of Louisville Brandeis School of Law, *Holocaust Denial*, December 2007.

Faculty Presentation, University of Georgia College of Law and College of Journalism, *Authorship, Audience, and Anonymous Speech*, October 2007.

Speaker, American Constitution Society Student Forum, *Avoiding Liability for Internet Speech*, March 2008.

Speaker, UF ACS-ACLU Panel, *Tasers and Free Speech*, November 2007.

Speaker, Florida Law Review Fall Symposium, *The Reporter's Privilege Today*, 2006.

Speaker, *The 2005-2006 Supreme Court Term*, Southeast Association of Law Schools Conference, Palm Beach, Florida, 2006

Moderator, Panel Discussion, University of Florida Symposium, *Data Devolution*, 2006.

Congressional Testimony: *Oath-Taking, Truth-Telling & Remedies in the Business World*; Subcommittee on Commerce, Trade and Consumer Protection (July 26, 2002).

EDUCATION

The University of Texas School of Law

J.D. with High Honors

Order of the Coif

Articles Editor, *Texas Law Review*

Outstanding Torts Note Award (for *Intrusion and the Investigative Reporter*)

Townes-Rice Scholarship recipient (full academic scholarship)

Aggie Bar Association Scholarship recipient

Dean's Achievement Awards in Professional Responsibility and Labor Law

Fulbright Scholar: Cambridge University, England

Awarded grant to study medieval legal history and early development of the Common Law

Attended courses in Jurisprudence, Law & Philosophy, and Legal History

Texas A&M University

B.A. *summa cum laude* in English and Political Science (May 1989)

GPA: 4.0/4.0 graduated in 3 years

President's Endowed Scholar (highest award for academic achievement)

Phi Kappa Phi Honor Society

PRIOR LEGAL EXPERIENCE

The Honorable Judge Joseph T. Sneed, United States Court of Appeals for the Ninth Circuit, San Francisco, Ca., Judicial Clerk (1993/94)

Cleary, Gottlieb, Steen & Hamilton, New York, N.Y., Summer Associate (1993)

Shea & Gardner, Washington, D.C., Summer Associate (1992)

Cohan, Simpson, Cowlshaw, Aranza & Wulff, Dallas, Tx., Summer Associate (1991/92)

Baker & Botts, Houston, Tx., Summer Associate (1991)

Van Os & Owen (labor and employment law), Austin, Tx., Law Clerk (1992/93)

BAR ADMISSION

State of Florida

LANGUAGES

Studying to gain proficiency in Spanish. Audited *Spanish for Legal Professionals* in Spring 2014. Some knowledge of French.

Arranged for *Spanish for Legal Professionals* to be taught at UF Law in Spring 2015.

CITATIONS BY COURTS TO PUBLISHED ARTICLES OR BOOKS

Supreme Court of Canada:

Crookes v. Wikimedia Foundation, Inc, 2011 SCC 47 (2011).

Hong Kong Court of Final Appeal

Oriental Press Group Ltd v. Fevaworks Solutions Ltd, 2013 WL 3210032 (2013).

U.S. State Supreme Courts:

Kinney v. Barnes, 443 S.W.3d 87 (Tx. 2014).

Too Much Media, LLC v. Hale, 20 A.3d 364 (N.J. 2011).

Independent Newspapers, Inc. v. Brodie, 966 A.2d 432 (Md. 2008).

Doe v. Cahill, 884 A.2d 451 (Del. 2005).

Mathis v. Cannon, 573 S.E. 2d 376 (Ga. 2002).

Federal Courts of Appeals:

U.S. v. Strandlof, 667 F.3d 1146 (10th Cir. 2012).

Michtavi v. New York Daily News et al., 587 F.3d 551 (2d Cir. 2009).

Lefkoe v. Jos. A. Bank Clothiers, Inc., 577 F.3d 240 (4th Cir. 2009).

State Intermediate Appellate Courts:

Hadley v. Doe, 12 N.E.3d 75 (Ill. App. 2014).

Chaker v. Mateo, 147 Cal. Rptr. 3d 496 (2012).

Davis v. Fred's Appliance, Inc., 287 P.3d 51 (Wa. Ct. App. 2012).

Summit Bank v. Rogers, 142 Cal. Rptr. 3d 40 (2012).

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

Mobilisa, Inc. v. Doe, 170 P.3d 712 (Ariz. App. Div. 2008).

Klehr Harrison et. al. v. JPA Development, Inc., 2006 WL 37020 (Pa. Com. Pl., 2006).

Polito v. AOL TimeWarner, Inc., 2004 WL 3768897 (Pa. Com. Pl. 2004).

Barrett v. Rosenthal, 9 Cal. Rptr. 3d 142 (Cal. App. 4th 2004).

Varian Medical Systems, Inc. v. Delfino, 6 Cal. Rptr. 3d 325 (Cal. App. 4th 2003).

Melvin v. Doe, 29 Media L. Rptr. 1065 (Pa. Com. Pl. 2000).

Federal Trial Courts:

Log Creek, LLC v. Kessler, 717 F. Supp.2d 1239 (N.D. Fla. 2010).

Quixtar, Inc. v. Signature Management Team, LLC., 2008 WL 2721265 (D. Nev. 2008).

Albright v. Morton, 321 F. Supp. 2d 130 (D. Mass. 2004).

In Re Baxter, 2001 WL 34806203 (W.D. La. 2001).

Agnant v. Shakur, 30 F.Supp. 2d 420 (S.D.N.Y. 1998).