

Anne Toomey McKenna – *Curriculum Vitae*

PENN STATE LAW

The Pennsylvania State University
Lewis Katz Building, Room 235
University Park, PA, 16802

Email: atm19@psu.edu
Personal Cell: 410-627-2715

Current Position & Brief Bio

PENN STATE LAW

PENNSYLVANIA STATE UNIVERSITY

Professor of Law (Visiting)

I teach *Civil Procedure, Evidence, Information Privacy Law, and Cyberlaw in Practice*.¹ In 2016, I joined the full-time faculty of Penn State Law (PSL) at the Pennsylvania State University (PSU) University Park campus from the law firm of Silverman/Thompson/Slutkin/White (STSW), where I was a Partner and chaired the firm’s cyber law practice group. In addition to my fulltime law practice prior to joining PSL fulltime, I taught Information Privacy Law as an Adjunct at both PSL and Dickinson Law Schools from 2014 to 2016.

My teaching, scholarship, and legal practice areas focus on a broad array of subjects within cyber and privacy law, including: electronic surveillance law and technology; electronic evidence; cyber and privacy law and risk management issues for businesses and individuals as well as compliance with federal and state laws; data collection and data breach; emerging technologies and the law; the First and Fourth Amendments; social media; behavioral targeted advertising; and online speech and online content issues. With 23 years of experience in complex civil litigation, I have represented large and small businesses, educational clients, and individuals in matters involving workplace privacy and surveillance, data practices, data breach and data theft, website privacy policies and terms of use, cellular practices, geolocation tracking, online content and speech, online torts, content take-downs, electronic surveillance statutory claims, privacy, and compliance with state and federal data and electronic surveillance laws.

I also consult regularly with government officials and media about wiretapping, computer and cellular searches, geolocation tracking, unmanned aerial vehicles (UAVs), privacy, and emerging surveillance technologies. In that vein, I served from 2014 to 2016 as the Principal Legal Consultant for the Police Foundation and the United States Department of Justice-COPS’s initiative on the use of UAVs in community policing.

¹ I designed and developed the 3-credit course, *Cyberlaw in Practice* or *Cyberlaw Across the Practice Spectrum*, which is the first course of its kind offered at Penn State Law. The course meets a void in current law school curricula – it addresses “cyberlaw” in the context of core law school subjects and cyberlaw in civil and criminal practice areas. “Cyberlaw” is a loosely used term, but understanding cyberlaw is necessary in the modern practice of law. Cyber or online activities occur in every facet of modern human life – and in every type of case and practice area. The ubiquity of cyber or online activity in business and personal life demands every attorney, regardless of practice area, be familiar with the melded body of laws that comprise cyberlaw; hence the purpose of and need for this course. In the course, I define in practical terms what cyberlaw is, identify the sources of cyberlaw, teach students how these manifold sources of law integrate together to comprise “cyberlaw,” and then cover by subject/practice area how cyberlaw is an essential component in practicing law.

Teaching both Civil Procedure and Evidence each academic year, I have one of the highest teaching loads (by student count) of any professor at PSL. Students rank my teaching effectiveness as strong. In addition to teaching this high volume of students, I also work closely with PSL's students outside the classroom to foster their growth and employment opportunities, and am an active participant in student events.

Beyond teaching, an essential aspect of my work at PSL is developing and fostering interdisciplinary collaboration within the broader PSU system in the area of cyber technology, policy, and law. Consistent with both the PSL and PSU strategic plans, I have engaged in interdisciplinary collaboration with the following units at PSU: Information Sciences Technology; Communications; Smeal School of Business; Institute for CyberScience; Office of Information Security; School of International Affairs; and Applied Research Laboratory. A summary of my interdisciplinary accomplishments at PSL and PSU includes work with the following units:

Applied Research Laboratory (ARL) I worked with James Houck (PSL), and Scott Gartner from School of International Affairs (SIA) together with PSU's Applied Research Laboratory (ARL) as well as other PSU units to submit a proposal to the National Security Agency (NSA) to develop curriculum for NSA employees engaged in offensive cyber operations. I developed the domestic law aspects of the Law and Policy proposal piece. The collaborative proposal submitted to the NSA contained eight separate course offerings; the NSA selected only two of the eight proposed offerings, one of which was the Law and Policy offering. This has resulted in a large grant award to develop a Law and Policy curriculum for NSA employees engaged in cyber operations with a project completion date in 2018.

Smeal College of Business I have worked with Smeal's Alum Development Officer and Smeal Alum in assembling and moderating panel on cyberscurity at KPMG's Manhattan office for PSU alumni in New York, New Jersey, and Connecticut. The November 2016 panel, *We Are Secure: Data as an Asset...and a Liability*, included Global Chief Information Security Officer at KPMG, and the Vice President and CPO of DISCOVER. I continue collaboration with Smeal and Smeal alum on cyber issues.

College of Communications and Information Sciences and Technology (IST) On behalf of PSL, I collaborated with College of Communications, College of Information Sciences and Technology, and Penn State Institute for Information Policy to develop and host a Cybersecurity Law and Policy 2.5 day long workshop held at GW in 2016. This included issuing a call for papers, selecting abstracts, and organizing a workshop with faculty attendees from around the world addressing the legal and policy dimensions of cybersecurity. I also secured the workshop's keynote speaker, The Honorable Thomas I. Vanaskie, Circuit Judge with the United States Court of Appeals for the Third Circuit. In addition, I served as a Paper Respondent at the workshop.

Institute for CyberScience (ICS) I am an Associate with the Institute for CyberScience at PSU. I continue ongoing work with the ICS Director to identify and work jointly on proposals where ICS and PSL can collaborate. At ICS's request and in February 2017, I presented a seminar on *Data: Risks, Responsibilities, and Rights* where I advised faculty on legal risks, considerations, and rights associated with data use and data safekeeping in research.

Office of Information Security (OIS) I served as the only practicing attorney and law faculty member on a faculty panel with participants from College of Engineering and IST and other divisions to provide review, comment, and revision to new PSU data and privacy policies for OIS. I am also working OIS and University Privacy Officer, Holly Swires, to explore ways that law students could work with OIS.

Penn State Office of Social Media and the Social Media Council At the request of PSU's Office of Social Media, I served as a panelist on the *Penn State Social Media Summit: Legal Panel*. October 2016.

The panel addressed a broader PSU audience with campus-wide administrators, faculty, and media personnel on privacy law considerations in social media use, social media marketing, and social media risk management.

Penn State Office of Media and Penn State Research Matters I regularly serve as identified expert on behalf of Penn State University on a wide range of privacy and cyber-related topics for national and local media inquiries including NPR's *Morning Edition*, *Bloomberg Law*, Bloomberg Radio, Bloomberg Law Podcast, *The Washington Post*, *The Boston Globe*, Fox News, VICE News, and The Intercept among others.

Education

The Catholic University America School of Law – J.D. – 1994

American Jurisprudence Award in Advanced Criminal Procedure/Investigative Process, Moot Court Associate, Women's Law Caucus, International Law Society, Internship with the Honorable Ellen Segal Huvelle (then Judge of the D.C. Superior Court, now Judge of the United States District Court for the District of Columbia), and Student Legal Advocate representing clients in D.C. Superior Court with CUA's Litigation Clinic.

The Catholic University of America – B.A. – 1991

Byzantine History major; Dean's List, Every Semester Sophomore through Senior Years; member of Phi Alpha Theta National Honor Society and Pi Gamma Mu National Honor Society

Jurisdictions Admitted to Practice

- State of Maryland, 1994
 - United States District Court, District of Maryland, 1994
 - District of Columbia, 1995
 - United States District Court for the District of Columbia, 2000
- PRO HAC Admissions: Connecticut

Publications - Treatises

Jones on Evidence, Civil and Criminal, 7th Ed., Clifford S. Fishman & Anne T. McKenna, (Thomson Legal Publishing 2004-present).

<https://ssrn.com/abstract=2906413>

In 2004, I began co-authoring this seminal evidence treatise, which is in its second century of publication. *Jones on Evidence* ("Jones") currently contains 5 hardbound volumes and a softbound appendix of new chapters with two new hardbound volumes forthcoming. All volumes are updated yearly. *Jones* enables civil and criminal practitioners in private and public practice to learn and understand evidentiary issues and evidentiary rules, including the Federal Rules of Evidence, and to use evidence effectively, whether the issue is admission, exclusion, preservation or relevance. *Jones* has been cited in numerous federal and state court opinions and law review articles, including by many of the Nation's highest appellate courts, specifically, the United States Courts of Appeal for the Fourth Circuit, Sixth Circuit, the Seventh Circuit, the Ninth Circuit, the Eleventh Circuit, and the District of Columbia Circuit.



Jones on Evidence—new hardbound Vol. 6, Fishman & McKenna, (West 2016). In December 2016, a new hardbound Volume was added to the *Jones on Evidence* treatise series for the first time in over a decade. Volume 6 addresses in detail the subjects of lay and expert witness testimony in the context of civil litigation.

Wiretapping & Eavesdropping: Surveillance in the Internet Age, 3rd Ed., Clifford S. Fishman & Anne T. McKenna (West/Thomson Publishing, 2010). <https://ssrn.com/abstract=2906415>



The third edition of the seminal “Fishman & McKenna” Wiretapping treatise analyzes federal and state law and the rapidly evolving civil and criminal legal issues and privacy issues surrounding the Internet, computers, cellular devices, electronic location tracking, drones, and biometrics. Since its publication, this treatise has been cited in multiple published federal and state judicial opinions, including by the United States Court of Appeals for the Seventh Circuit in August 2010 and the United States Court of Appeals for the Fifth Circuit in August 2014. The third edition is a well-known resource for attorneys working in private practice and in the government, as well as for law enforcement. It is also a resource for other scholars in the field, and like the earlier second edition, it is frequently cited by courts and in law review articles.

Wiretapping and Eavesdropping, 2nd Ed., Clifford S. Fishman & Anne T. McKenna, (Originally Clark Boardman & Callaghan, 1995; Subsequent Publisher: West).

I co-authored this two-volume treatise that addressed all aspects of surveillance technology in both civil and criminal contexts. Prior to its being superseded by the third edition, it was a tool used by prosecutors, judges, law enforcement officials and private practitioners and cited in a host federal and state court published opinions across the country, including by the United States Court of Appeals for the Ninth Circuit.

Publications – Law Review Articles

Pass Parallel Privacy Standards or Privacy Perishes, McKenna, Anne T., 65 Rutgers L. Rev. 1041 (2013).

Publications – Law Reports and Blogs

The Conversation

Appeals Court ruling urges Congress to stop NSA’s mass scale surveillance May 2015

The Internet Privacy Law Blog – (internetprivacylawblog.com) My blog posts included:

Apple v. DOJ/FBI - Is Justice Scalia Rolling Over in His Grave? Feb 2016

The "Troll" - Malibu Media Continues to Sue and Scare Individuals Jan 2015

*Business Cybersecurity & the Cloud:
Six Practical Steps to Avoid or Reduce Legal Liability* Dec 2013

Malibu Media Makes Marylanders Miserable Dec 2013

<i>Your Business Has an Online Website— Does this Mean You Are an Internet Content Provider? – The CDA and Your Website</i>	June 2013
<i>Your Employees and Social Media—Can You Read Their Online Activity? Worse, Could You Be Liable? Why Your Business Needs a Social Media Policy for Employees</i>	June 2013
<i>The Cyber Intelligence Sharing and Protection Act of 2013 (CISPA)</i>	April 2013
<i>FTC’s Report: Mobile Apps for Kids: Disclosures Still Not Making the Grade</i>	Jan 2013
<i>New Jersey Appellate Court Upholds Firing of Teacher for Facebook Post that Labels First Graders “Future Criminals” What Does this Mean for Maryland Teachers and Schools?</i>	Jan 2013

Cybercrime Law Report, Anne T. McKenna, (West/Thomson Publishing, Inc., 2004-2008).

Cybercrime Law Report was a bi-weekly report with a large subscription base of prosecutors, government officials and private practitioners published through West/Westlaw. The bi-weekly Report described all recent cybercrime case-related decisions, as well as the news from the Department of Justice, the FBI, the Drug Enforcement Agency, the Federal Trade Commission, and the United States Attorneys’ Offices across the nation. The Report also updated subscribers on current news and awareness of cybercrime, cyber/internet developments, privacy laws and issues, and technology advances.

Publications – Policy and Guideline Memoranda

In 2013 and 2014, I was retained as the Principal Legal Consultant by the Police Foundation and the United States Department of Justice-COPS Division in connection with USDOJ’s Joint Initiative on Community Policing to consult and draft the following Policy and Legal Memorandum for the use of UAVs in community policing:

UAV Technology and US Law

UAV Liability Analysis

UAV-Gathered Electronic Data-Legal Analysis of Data Collection, Retention, Storage, & Use

UAV-Related State Legislation

UAV/UAS-Overview of Research and Publications

Publications in Press

Jones on Evidence—new hardbound Vol. 7, Fishman & McKenna, (West 2017)

My co-author, Professor Clifford S. Fishman, and I have completed the final manuscript process for another new hardbound volume in *Jones on Evidence –Volume 7* – which has an anticipated publication date in late December 2017. Volume 7 covers in detail the subjects of lay and expert witness testimony in the context of criminal cases.

Pending/Contracted Publications

Cyberlaw in Practice—Anne T. McKenna (Wolters Kluwer – Casebook publication contract October 2017). This casebook flows from the materials I have written and assembled to teach my *Cyberlaw in Practice* course. It begins with an overview of the pervasiveness of cyber and online activities in modern human life, i.e., participation in modern systems, such as banking, education, employment, purchase of consumer goods, and government-regulated activities like property ownership, payment of taxes, obtaining a drivers' license, etc., requires acquiescence to online data collection. The casebook then will set forth the existing constitutional, statutory, regulatory, and common law sources that have melded into the framework of laws called cyberlaw. The casebook then will break cyberlaw down by major practice areas, including: business, commercial, and consumer law; insurance law; employment law; torts and online speech; constitutional law, criminal law, and family law. Finally, the casebook concludes with an overview of cyber (electronic) evidence issues, including identification, collection, and preservation of electronically searchable information (ESI).

Lecturer/Panelist

I routinely present seminars to educational institutions, schools, students, law enforcement and private sector businesses on Internet, computer and cellular surveillance, searches, tracking, biometrics, drones and employer/employee Internet usage and monitoring. The following are highlights from my Lecturer/Panelist work in the last few years:

July 2017 Presenter at *Wolters Kluwer Leading Edge Faculty Conference* in Chicago. At this invitation-only conference, I presented on the need to teach cyberlaw in law schools and the need for lawyers in all practice areas to understand cyberlaw. Wolters Kluwer's head Publisher attended my session and has since approached me to turn the content and my ideas into a casebook (see Pending Publications above).

June 2017 Commenter at *Privacy Law Scholars Conference (PLSC)* in Berkeley, California. Asked to be "commenter" at 2017 PLSC hosted by UC Berkeley Law and GW Law School. PLSC is the largest gathering of privacy law scholars, academics, and private industry in the field of privacy and cyber law. It is an invitation-only conference funded by Google, Microsoft, Palantir Technologies, and other industry leaders. I have been invited every year since PLSC's inception ten years ago. This year, I provided comment and critique of a working paper written by Dorothy Glancy, Santa Clara University School of Law, and James Wayman, San Jose State University, entitled, *Recognizing Speakers and Respecting Privacy*. This paper considers the increasing use of voice recognition data collection and technology and the problems it poses from a privacy law and evidence perspective. (This is the fourth year that I have been asked to speak at PLSC and provide critique as an expert in the field).

February 2017 Speaker: Penn State University: *Data: Risks, Responsibilities, and Rights* Presented as Solo Speaker on the topic at the request of Penn State Institute for CyberScience to faculty from across Penn State University. In this lecture, I advised faculty on legal risks, considerations, and rights associated with data use and safekeeping in research.

November 2016 Moderator: Manhattan, NYC: *We Are Secure: Data as an Asset...and a Liability* Spoke and served as moderator of panel of executives at KPMG's Park Avenue office. Executives included Global Chief Information Security Officer at KPMG, Vice President and CPO for Discover, Senior Associate from Korn Ferry, and a Department of Homeland Security Agent. I addressed and discussed cyber and data risks to large group of PSU alums primarily from Penn State's Smeal School of Business. Smeal development personnel and KPMG have requested that I guest lecture at another event in D.C.

October 2016 Panelist: Penn State Law CLE: *Will Tweets & Hacks Decide the 2016 Election?*

October 2016 Panelist: *Penn State Social Media Summit: Legal Panel*. Served as Panelist and Lecturer for broader PSU administrators, faculty, and media personnel on privacy law considerations in social media use, social media marketing, and social media risk management.

September 2016 Respondent: George Washington University: *Legal and Policy Dimensions of Cybersecurity*. Served as Respondent to working paper submitted by Oregon Law Professor Ofer Raban at workshop held at George Washington University's School of Media and Public Affairs in conjunction with Penn State College of Communications and Penn State Law.

April 2016 Panelist: Dickinson Law School *Cybersecurity Panel*. One of three panelists discussing the legal and policy issues in the San Bernardino iPhone debate and the FBI's ultimate hack of the phone.

March 2016 Panelist: Catholic University of America Law School: *Careers in Privacy Law* – Discussing the many facets of privacy law and civil practice.

February 2016 – Johns Hopkins University: Sole Speaker for two-hour presentation, *Student Online Speech and Universities: Walking the Line of Technology, Law, & Liability*, which I prepared, and presented to Deans and Administrators from Johns Hopkins, Georgetown University, George Washington University, American University, Loyola University, University of Maryland, and other mid-Atlantic colleges and universities.

May 2015 Lead Speaker and content developer: D.C. Bar Association's filmed webinar: *CyberTorts: Revenge Porn, Bullies & Trolls*

April 2015 Main Speaker: *Cyberlaw: What You Need to Know*, CLE Presentation, Penn State Law, Blue Gold weekend.

April 2015 Panelist: *Not-So-Private Profiles: Information Privacy and Social Media*, Hosted by Phi Alpha Theta at Penn State.

June 2014 Speaker: *Hall of States, Washington, D.C.—Police Foundation and USDOJ*, Washington, D.C., I spoke to the DOJ/Police Foundation Project's Advisory Board regarding the legal issues surrounding implementation of UAVs in domestic law enforcement.

June 2014 Participant/Speaker: ABA/IRR Roundtable Discussion on Privacy, ABA Offices.

April 2014 Panelist: *Cyber Security Concerns for Small & Medium-Sized Business*, The Center Club, Baltimore, MD.

November 2013 Panelist: *How Safe is Your Data? CyberSecurity in the Cloud*, Baltimore Marriott, hosted by Smart CEO.

March 2013 Panelist: Rutgers Law Review Symposium 2013: *Where There is No Darkness: Technology and the Future of Privacy*.

December 2013 Webinar Main Speaker: *Corporate Monitoring in Cyberspace? How to Address Technology and Legal Challenges*, Hosted by Dunbar Digital Armored, Baltimore, MD.

February 2013 Panelist: CUA's Law and Public Policy Lecture Series: *U.S. v. Jones*

November 2012 Panelist and Organizer: The National Press Club, Washington, D.C., *U.S. v. Jones and THE TRACKING CLASH*, hosted by CUA Law.

In the Media: Newspapers and Radio:

I am regularly consulted by reporters and writers because of my practice experience and publications in the fields of technology, the Fourth Amendment, privacy law, social media, the Internet and cellphones, as well as an ability to distill these subjects down to understandable concepts. I appear frequently on national and local news media programs. The following are highlights from my media work from the last few years.

The Washington Examiner – September 20, 2017 – Interviewed and quoted in article discussing Manafort's wiretapping and distinction between a FISA wiretap and domestic civil wiretap. <http://www.washingtonexaminer.com/wiretapped-calls-between-trump-and-paul-manafort-would-have-difficult-road-to-disclosure/article/2634980>

The Intercept – August 15, 2017 – Interviewed and quoted in article discussing body cam evidence from Baltimore police. <https://theintercept.com/2017/08/05/baltimore-police-bodycam-planting-drugs-accountability/>

Bloomberg Law/Bloomberg Radio – March 17, 2017 – Interviewed live by June Grasso, Michael Best, and Greg Stohr on Bloomberg Radio's "Bloomberg Law." I discussed charges against four individuals, including two Russian agents, about the theft and hack of hundreds of millions of Yahoo users' account information. Interview content was then turned into a podcast by Bloomberg Law, available here: <https://www.bloomberg.com/news/audio/2017-03-17/bloomberg-law-brief-indictments-over-yahoo-hacking-audio>

The Boston Globe – October 8, 2016 – Interviewed and quoted about Boston Police's aerial surveillance seeking to locate marijuana growers. <https://www.bostonglobe.com/metro/2016/10/07/pot-legalization-campaign-seizes-grandmother-case/jNdLaaZ1dfNQW2xsTbSw7O/story.html>

The Baltimore Sun – October 10, 2016 – Interviewed and quoted in on Baltimore police's aerial surveillance issues. <http://www.baltimoresun.com/news/maryland/baltimore-city/bs-md-ci-surveillance-alternatives-20161007-story.html>

NPR Morning Edition – September 2016 – Interviewed in Lead Story aired nationally about the Yahoo hack of over half a million customers' data. <http://www.npr.org/2016/09/23/495143885/yahoo-confirms-data-from-millions-of-accounts-were-stolen-in-2014>

VICE News – September 13, 2016 – Interviewed and quoted in VICE News article on Baltimore police's secret use of privately funded aerial surveillance plane recording all activity for a 32-mile radius over the City of Baltimore. https://www.vice.com/en_us/article/psurveillance-baltimore-police-cops-reform

The Baltimore Sun – August 25, 2016 – Primary interviewee in lead story on A1 (the cover) of the *Sun* regarding the breaking Baltimore aerial surveillance story and explaining why the surreptitious aerial surveillance program is not analogous to the city's CCTV program. <http://www.baltimoresun.com/news/maryland/crime/bs-md-ci-surveillance-differences-20160825-story.html>

The Baltimore Sun – August 24, 2016 – Interviewed, and quoted by reporter for late-breaking story on private company with secret contract to fly aerial surveillance flights over Baltimore.

<http://www.baltimoresun.com/news/maryland/baltimore-city/bs-md-ci-secret-surveillance-20160824-story.html>

Penn State Research Matters – July 21, 2016 – Interviewed and quoted in widely publicized piece on the *Pokemon Go* phenomenon and privacy concerns associated with the app's data collection.

https://www.pinterest.com/EdTech_Stories/digcit-pln-pokemon-go-on-sm/;

<http://researchmatters.psu.edu/2016/07/21/of-pokemon-pikachu-parents-and-privacy/>; <http://penn-state-university.tumblr.com/post/147881363801/your-data-your-privacy-and-the-pok%C3%A9mongo>;

The Washington Lawyer – May 1, 2015 – Quoted extensively in lead/cover article on Cybercrime

The Baltimore Sun – April 16, 2015 – Quoted about Baltimore Police Department's secret "stingray" program.

The Washington Post – December 2, 2014 – Quoted on front page (A1) about police body cameras and potential privacy concerns.

In the Media: Televised Interviews

November 2016, February 7, 2017, February 24, 2017 – Fox News (Baltimore) — Interviewed on camera in multiple, nationally syndicated stories to discuss online data and privacy issues, access to police records online, and problems with removal of online content.

3/14/16 FOX News - Nationally Syndicated – Interviewed about mobile apps and security concerns

12/17/15 FOX News Lead Story - Discussing federal charging documents related to a Maryland citizen suspected of ISIS-related activity as well as social media's role in both terrorist recruitment and terrorist planning

10/28/15 FOX News – Interviewed on impacts on consumers of Experian data breach

8/4/15 NBC Baltimore (WBAL) – Interviewed about a private social media surveillance firm that identified protestors engaged in online speech as “threat actors” during Baltimore Riots

8/4/15 Fox Baltimore – Interviewed about privacy concerns with the newly released Windows 10

5/21/15 FOX Baltimore - Discussing cracking down on revenge porn perpetrators

12/2/14: CBS News - Speaking with CBS about civil rights lawsuit filed against Georgetown rabbi facing voyeurism charges, Rabbi Barry Freundel

12/2/14: NBC-DC – Interviewed about civil lawsuit over Rabbi Barry Freundel voyeurism case

12/2/14: FOX Washington - Interviewed about civil lawsuit over Rabbi Barry Freundel voyeurism case

9/3/14: FOX – Commenting on risks associated with storing personal data in the cloud

Dozens of television interviews prior to 2014 have been omitted for space, but a complete listing is available upon request.

Prior Professional Experience

STSW and SILVERMCKENNA

2012 – May 2016: I joined STSW (Silverman/Thompson/Slutkin/White LLC) as a Partner in 2012, where I founded and chaired STSW's Internet and Privacy Practice Group, SILVERMCKENNA. My practice areas included electronic surveillance law, Internet, computer and cellular law, privacy law and evidentiary issues. The majority of my litigation cases were pending in federal courts, including the United States District Court for the District of Maryland and the District of Columbia. I represented private businesses, individuals, and educational and institutional clients in handling every aspect of electronic surveillance, Internet, computer, e-mail, and cellular issues, including monitoring employees' and students' communications and usage. I advised businesses and schools about legally compliant computer and web practices as well as network banner issues. I consulted formally and informally with federal and state law enforcement regarding drones, location tracking, Internet, computer and cellular searches, wiretapping, cellular technology and cellular tracking. I routinely made presentations to businesses, law enforcement, schools, and various organizations in these fields. I consulted as an independent expert in cases related to electronic surveillance and privacy and evidence.

In November 2015 while at STSW, together with my law partner, Steve Kelly, we secured a landmark First Amendment victory in Connecticut's Supreme Court published decision, *Gleason v. Smolinski*, 319 Conn. 394, 125 A.3d 920 (2015). In reversing the trial court and lower appellate court, the Connecticut Supreme Court agreed with our analysis, and held that the First Amendment protected placing missing person posters near the home and work of a missing man's former girlfriend who was a suspect in disappearance. My partner and I were retained after the missing man's family had a defamation judgment entered against them by a Connecticut trial court, and we handled the three-year long appeal entirely *pro bono*.

Penn State and Dickinson Law Schools: Adjunct Law Professor

2014-2016: Adjunct Professor of Law: Course taught – Information Privacy Law

The Catholic University of America: Adjunct Professor

2006-2014: I taught Media Law to undergraduates and graduate students. The course reviewed the American legal system, U.S. courts, procedures, the U.S. Constitution, and U.S. laws such as FOIA, and educated students about legal research and legal writing.

ToomeyMcKenna Law Group, LLC

2004-2012: As Principal Counsel in the firm, I represented clients in a wide range of litigation matters in Maryland and the District of Columbia. I consulted with business and educational clients with respect to monitoring their employees and students' Internet, computer, e-mail, and cellular usage, and advised businesses about legally compliant computer and web practices and network banner issues. I also consulted formally and informally with federal and state law enforcement with respect to the Fourth Amendment, computer searches, cellular technology, cellular searches and cellular tracking, and continued my research, writing, publishing and teaching seminars in these.

Crosswhite, McKenna, Limbrick & Sinclair, LLC

1997-2004: Together with other attorneys from Miles & Stockbridge, I co-founded Crosswhite, McKenna, Limbrick & Sinclair, LLC, (CMLS) which within one year of inception became an AV-rated

premier Baltimore litigation boutique representing businesses and individuals in federal and state courts in Maryland and the District of Columbia. As one of two founding partners, I successfully launched CMLS, cultivating and developing the firm's broad array of business and private clients and practice areas, including: insurance defense litigation, coverage disputes, employment-related litigation, products liability, medical malpractice, mediation and other forms of alternative dispute resolution. Clients included individuals, small businesses and publicly traded corporations in state and federal courts in Maryland and the District of Columbia. While at CMLS, I tried numerous jury trials, particularly in significant exposure cases. My focused practice areas also included electronic surveillance issues and privacy laws.

Miles & Stockbridge, PC

1995-1997: I was hired as an associate in the firm's Baltimore litigation department, where I worked directly with the Honorable James R. Eyler (Ret), Maryland Court of Special Appeals. My practice areas included: large corporate clients handling catastrophic loss cases, medical malpractice cases, toxic torts, insurance defense and insurance coverage in federal and state courts. I co-tried multiple jury trials during my tenure at Miles & Stockbridge.

Professional Memberships; CLE; Activities

Associations (Past and Present):

American Bar Association; Maryland State Bar Association; Baltimore County Bar Association; Baltimore City Bar Association; District of Columbia Bar Association; American Trial Lawyers Association; Judicial Selections Committee for Baltimore City Bar Association--2004

CLE Courses:

Certified Mediator-MICPEL Mediation Course (40 hour course with Certificate); Evidence and The Art of Making Objections; MTLA Deposition Clinic; MTLA Women's Litigation Seminar; MTLA Auto Tort Clinic; MTLA Soft Tissue Injury Clinic; MTLA Medical Malpractice Clinics; MTLA Accident Reconstruction Seminar

Community Activities:

Chair, Parish Finance Committee, Baltimore Catholic Parish, 2005-2012
Evangelization/Stop Internet Bullying Committee, Baltimore Catholic Parish, 2010-2012
Volunteer Lunch Coordinator/Participant, Baltimore County Homeless Shelter
Various Volunteer activities in community and local schools
Pro bono educational activities for local schools on safe cellular and social media practices