

## **PRIVACY**

Professor Alan I. Begner  
Begner & Begner P.C.  
5180 Roswell Road, N.E.  
South Building, Suite 100  
Atlanta, Georgia 30342  
(404) 531-0103  
[abegner@bellsouth.net](mailto:abegner@bellsouth.net)

Textbook: *Privacy Law and Society*, Second Edition, Anita L. Allen

### Assignment I

Read pages 11-42 in your textbook, then read the following cases and be prepared to discuss:

N.Y. Times v. Sullivan, 376 U.S. 254, 84 S.Ct. 710 (1964)

Time Inc. v. Hill, 385 U.S. 374, 87 S.Ct. 534 (1967)

Gertz v. Robert Welch Inc., 418 U.S. 323, 94 S.Ct. 2997 (1974)

**\*\*\*\*\* SYLLABUS BELOW \*\*\*\*\***

# **PRIVACY**

Professor Alan Begner

SUMMER 2015

Office: Begner & Begner, P.C.  
5180 Roswell Rd. NE  
South Building, Suite 100  
Atlanta, GA 30342  
(404)-531-0103  
E-mail: [abegner@bellsouth.net](mailto:abegner@bellsouth.net)

## **GENERAL REQUIREMENTS**

### **1. Texts:**

The required text for this course is: Anita L. Allen, **PRIVACY LAW AND SOCIETY**, Second Edition. Handouts or on-line material will be assigned or distributed to supplement topics covered.

### **2. Reading Assignments and Class Preparation:**

I will assume you have read and briefed the assigned materials for the specific class and are prepared to discuss the materials. Students are responsible for the notes that follow the assigned cases whether or not the notes are discussed in class.

Significant failures in class preparedness may result in the lowering of your final grade to the next available lowest grade. For example: a final grade of "A" would be lowered to an "A-", "B+" to "B", etc.

### **3. Attendance:**

Class attendance and preparation are mandatory and essential for successful completion of this course. Students may not miss more than twenty percent of the regularly scheduled classes. Any student who misses more than twenty percent of the classes will receive a grade of "WF" (withdrawn failing) for the course.

Class will begin promptly at the designated time. Students are expected to arrive to class on time. Significant tardiness to class may be considered an "absence" for purposes of attendance.

#### **4. Grades:**

Barring absences in excess of twenty percent of the scheduled classes, your final grade for the semester will be based on the following: (a) class participation (10%); (b) an in-class presentation (25%); (c) final exam (65%).

- A. *In-Class Presentation.* Each student is expected to present an outline and lead an in-class discussion (approximately 25-30) minutes in length for a specific class. Each presentation should include a survey of the important cases on the subject not in the text, current trends, legislative action, or other important or useful observations or controversies. Handouts are required. Use your oral argument skills. Do not read your presentation. Students may propose topics (subject to their approval by me).
- B. *Final Exam.* The final exam will be a comprehensive closed note/book essay exam. It will cover reading materials, including student presentation materials, and professor/class generated discussions.

#### **5. Office Hours:**

As needed. You may call or e-mail me to arrange an appointment.

# **PRIVACY SYLLABUS**

## **SUMMER 2015**

### **I. OVERVIEW**

#### Class #1

Topic: *Historical Overview*

*Defamation Grows into Privacy*

Read pages 11-42 and the following cases:

N.Y. Times v. Sullivan, 376 U.S. 254, 84 S.Ct. 710 (1964)

Time Inc. v. Hill, 385 U.S. 374, 87 S.Ct. 534 (1967)

Gertz v. Robert Welch Inc., 418 U.S. 323, 94 S.Ct. 2997 (1974)

### **II. PRIVACY AND INVASIONS IN TORT LAW**

#### Class #2

Topic: *Intrusion upon Seclusion*

Read pages 43-96

#### Class # 3

Topic: *Publication of Private Facts – False Light*

Read pages 103-148

#### Class #4

Topic: *Appropriation of Likeness – Right of Privacy*

Read pages 148-197 and the following case:

Toffoloni v. LFP Publishing Group, 572 F3d 1201 (11<sup>th</sup> Circuit) (2009)

### **III. PRIVACY AND INVASIONS IN CONSTITUTIONAL LAW**

#### Class #5

Topic: *Historical Overview*

*First Amendment*

*Religious Freedom*

*Association*

*Obscenity*

Read pages 251-310

Class #6

Topic: 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Amendments

Read pages 310-359

Class #7

Topic: 4<sup>th</sup> Amendment

Read pages 359-412

Class #8

Topic: 5<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> Amendments

Read pages 412-460

Class #9

Topic: 14<sup>th</sup> Amendment

*Sterilization, Birth Control and Abortion*

Read pages 461-511

Class #10

Topic: 14<sup>th</sup> Amendment

*Marriage and Divorce*

*Parenting*

*Suicide*

Read pages 512-575

Class #11

Topic: 14<sup>th</sup> Amendment

*Sexual Orientation*

*Sodomy Laws*

*Same-Sex Marriage*

*Sex Toys*

Read pages 575-644 and the following cases:

Powell v. State, 270 Ga. 327 (1998)

Morrison v. State, 272 Ga. 129 (2000)

Williams v. Pryor, 378 F.3d 1232 (11<sup>th</sup> 2004)

This, That & The Other v. Cobb County, 439 F.3d 1232 (11<sup>th</sup> 2004)

Reliable Consultants v. Earle, 517 F.3d 738 (5<sup>th</sup> 2008)

Class #12

Topic: *Video and Internet Privacy*

Read pages 826-868

Class #13

Topic: *Surveillance*

Read pages 968-993 and 1015-1040

Class #14

Topic: *TBA*