

PRIVACY'S DOUBLE STANDARDS: PUBLIC DISCLOSURE TORT CASE CHART (2006-2016)

Scott Skinner-Thompson*

Summary: This is a chart of public disclosure tort cases analyzed in Scott Skinner-Thompson, *Privacy's Double Standards*, 93 WASH. L. REV. (forthcoming Dec. 2018). The descriptions of the cases contained herein are taken from the court opinions (with the occasional media report), which often evaluate mere allegations, rather than established evidence. The author is not suggesting, one way or another, that any of the purported factual descriptions discussed are, in fact, true or false.

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Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
1	Jones v. City of Philadelphia , 893 A.2d 837 (Pa. Commw. Ct. 2006).	2/16/2006	Municipal civil service employee	City, City Employees, and Newspaper (among others)	Disclosure of racist remarks made at interdepartmental government meeting	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Already Public [AP]
2	Flores v. Emerich & Fike , 416 F. Supp. 2d 885 (E.D. Cal. 2006).	2/21/2006	Apple growers (couple)	Law firm and individual attorneys	Financial statement/information	Motion to Strike Pursuant to Anti-SLAPP Statute	Plaintiff lost (Motion granted)	Litigation Privilege [LitPriv]
3	Adamski v. Johnson , No. 7824 CV 2005, 2006 WL 4129308 (Pa. Ct. Comm. Pl. Mar. 2, 2006).	3/2/2006	Employee	Employer/supervisor	Medical information	Motion to Dismiss	Plaintiff lost (Motion granted)	Already Public [AP]; Not Widely Disclosed [NWD]
4	Gonnering v. Blue Cross and Blue Shield of Tex. , 420 F. Supp. 2d 660 (W.D. Tex. 2006).	3/15/2006	Prospective employee	Prospective Employer	Gay sexual orientation	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
5	Thomas v. State Employees Group Benefits Program , 934 So. 2d 753 (La. Ct. App. 2006).	3/24/2006	School board employee	State government benefits plan	Medical records/nude diagnostic photographs	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Other] (Statute of Limitations)
6	Prickett v. InfoUSA, Inc. , 561 F. Supp. 2d 646 (E.D. Tex. 2006).	3/30/2006	Multiple individuals	Internet services/database companies	Plaintiffs' names, address, and telephone number were published on three websites suggesting that they were adult entertainers	Motion for Summary Judgment	Plaintiff lost (Motion granted)	[Other] (CDA Section 230 Immunity)
7	Mahoney & Hagberg v. Newgard , 712 N.W.2d 215 (Minn. Ct. App. 2006).	4/11/2006	Law firm	Legal assistant	Information pertaining to plaintiff's possibly illegal conduct observed while defendant worked at the plaintiff law firm and included in defendant's litigation affidavit	Appeal of Order Denying Motion to Dismiss	Plaintiff lost (Order reversed)	Litigation Privilege [LitPriv]
8	Lentz v. City of Cleveland , No. 1:04CV0669, 2006 WL 1489379 (N.D. Ohio May 22, 2006).	5/22/2006	Police officer	City, Police Chief, and Public Safety Director	Mental health records/information	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP]

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	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
9	Readylink Healthcare v. Lynch , No. 04-55890, 2006 U.S. App. LEXIS 17694 (9th Cir. 2006).	7/13/2006	Healthcare company and the company's sole shareholder/founder	Law firm and individual attorney	Criminal record	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Already Public [AP]
10	Taylor v. Swartwout , 445 F. Supp. 2d 98 (D. Mass 2006).	7/24/2006	Attorney/former boyfriend of defendant	Former girlfriend of plaintiff	Information pertaining to plaintiff's participation in sealed grand jury and a letter from plaintiff to then co-counsel regarding representation of a client in a criminal defense matter which suggested that plaintiff was a drug user, smuggler, and money launderer	Motion for Summary Judgment	Plaintiff won (Motion denied, Merits TBD)	
11	Wilson v. Moreau , 440 F. Supp. 2d 81 (D.R.I. 2006), <i>aff'd</i> 492 F.3d 50 (1st Cir. 2007).	8/3/2006	Municipal library employee and contractor (who are father and son)	Mayor and multiple employees or consultants associated with the Mayor	Access to private and public email accounts of different plaintiffs	Motion for Summary Judgment	Plaintiff lost (Motion granted and affirmed on appeal)	[Pleading] (Plaintiffs failed to set forth specific facts demonstrating a genuine issue of fact)
12	Sorensen v. Barbuto , 2006 UT App 340, 143 P.3d 295. [NB: Separate healthcare duty of confidentiality claim allowed to proceed, and affirmed by Utah Supreme Court in 143 P.3d 295 (Utah 2008)]	8/10/2006	Patient	Doctor	Medical information	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]; Litigation Privilege [LitPriv]
13	Jaquez v. Herbert , 447 F. Supp. 2d 858 (N.D. Ohio 2006).	8/24/2006	Non-skilled production operator at DaimlerChrysler	Employee Assistance Program counselor with whom plaintiff had sexual relationship	Disclosure of information pertaining to personal problems plaintiff was having with her daughter to plaintiff's friend	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
14	Barnhart v. Paisano Publ'ns, LLC , 457 F. Supp. 2d 590 (D. Md. 2006).	10/17/2006	Twenty-nine-year-old female retail clerk	Magazine publisher	Publication in magazine of partially nude photo of plaintiff taken of her at public outdoor event	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP]

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15	McMann v. Doe , 460 F. Supp. 2d 259 (D. Mass 2006).	10/31/2006	Real estate developer	Anonymous website creator	Publication of a description of business activity, a description of a posting made on a public message board, and a publicly available portrait photograph on an anonymously-created website named after the plaintiff	Sua Sponte Motion to Dismiss/Summary Judgment (Effectively)	Plaintiff lost (Case dismissed)	Already Public [AP]
16	Cordts v. Chicago Tribune Co. , 860 N.E.2d 444 (Ill. App. Ct. 2006).	12/7/2006	Employee	Employer and corporation hired to evaluate plaintiff's disability claim	Disclosure of plaintiff's medical information (that plaintiff was receiving treatment for depression) to his ex-wife	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD] (once it was determined that recipient had natural and proper interest in the information, the information, in effect, became insufficiently distributed)
17	S.B. v. Saint James School , 959 So. 2d 72 (Ala. 2006).	12/8/2006	Teenage female students	Private high school, former headmaster, another student at the school, and a parent of a student at the school	Dissemination of information regarding the existence of nude photographs of plaintiffs and the photographs themselves	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]; Already Public [AP]; [Newsworthy]
18	Williams v. Baker , 464 F. Supp. 2d 46 (D. Me. 2006). [NB: Constitutional informational privacy claim but court relies on public disclosure tort law]	12/13/2006	Personal representative of plaintiff's mother's estate	Taxpayer Assistant Specialist for Maine Revenue Service	Confidential financial information regarding the estate	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP]
19	Amaker v. King County , 479 F. Supp. 2d 1151 (W.D. Wash. 2007), <i>aff'd</i> 291 Fed. Appx. 817 (9th Cir. 2008).	2/23/2007	Daughter of deceased	King County Medical Examiner's Office	Distribution of deceased's brain, other tissue, autopsy and medical report to medical research institute	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
20	Taus v. Loftus , 151 P.3d 1185 (Cal. 2007).	2/26/2007	Unnamed subject of "case study" in scientific scholarly article on child mistreatment	Authors and publishers of subsequent article critiquing the case study	Various aspects of plaintiff's background and personal life, including that she engaged in destructive behavior, but not her identity	Petition for Review of Order regarding Anti-SLAPP Motion to Strike	Plaintiff lost (Motion to strike granted)	[Newsworthy]

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21	DeBlasio v. Pignoli , 918 A.2d 822 (Pa. Commw. Ct. 2007).	3/12/2007	Detainees	Town and town police department	Broadcast of video surveillance feed of plaintiffs' holding cells to the home of the mayor	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
22	Carmack v. Nat'l R.R. Passenger Corp. , 486 F. Supp. 2d 58 (D. Mass. 2007).	3/22/2007	Employee/Locomotive Engineer	Employer/Amtrak	Medical Information (results of psychiatric examination)	Motion for Summary Judgment	Plaintiff lost (Motion granted)	[Other] (Federal preemption); [Pleading] (no evidence of disclosure)
23	Nation v. State, Dep't of Correction , 158 P.3d 953 (Idaho 2007).	3/29/2007	Employees/Corrections officers and their spouses	Idaho Department of Corrections (IDOC) (employer), IDOC officials/officers, the county, the county prosecutor, and the defense attorney representing a prisoner who allegedly assaulted plaintiffs	Unredacted workers compensation forms containing personal information (names, birth dates, addresses, phone numbers)	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD] (because the majority who received the information were legally entitled to the information); [Other] (Prosecutorial immunity as to certain defendants)
24	Jacob B. v. Cty. of Shasta , 154 P.3d 1003 (Cal. 2007). [NB: Claim based on state constitutional right to privacy, but sounds in tort]	4/5/2007	Individual	County government and county employee working in Victim Witness Center	Letter written by defendants indicating that plaintiff had molested his nephew	Petition for Review of Order regarding Motion for Summary Judgment	Plaintiff lost (Summary judgment granted)	Litigation Privilege [LitPriv]
25	Morrow v. Los Angeles Unified School Dist. , 57 Cal. Rptr. 3d 885 (Cal. Ct. App. 2007).	4/20/2007	High school principal	School district and superintendents	Statements by superintendents to newspaper criticizing plaintiff's handling of incidents of violence at the school	Appeal of Order Granting Anti-SLAPP Motion to Dismiss	Plaintiff lost (Order affirmed)	[Newsworthy]
26	Franklin Collection Service, Inc. v. Kyle , 2005-IA-00988-SC (Miss. 2007).	4/26/2007	Patient	Medical services provider and collection agency	Medical information (attached to collection lawsuit)	Interlocutory Appeal of Order Denying Motion for Summary Judgment	Plaintiff won (Order reversed, Merits TBD) [NB: Technically, privacy claimant was bringing a counterclaim]	
27	Lowe v. Hearst Commc'ns, Inc. , 487 F.3d 246 (5th Cir. 2007).	5/16/2007	Married couple/attorneys (suit brought by their bankruptcy trustee)	Newspaper Publisher	Information pertaining to alleged blackmail scheme, extramarital affairs, a real estate purchase, and fact that plaintiffs had a minor child	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Newsworthy]

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28	Haughton v. Canning , 650 S.E.2d 718 (Ga. Ct. App. 2007).	7/6/2007	Patient	Psychiatrist	Medical information (letters containing plaintiff's medical information sent by defendant to plaintiff's other physicians and records released to opposing counsel in another case)	Appeal of Order Granting Directed Verdict and of Jury Verdict	Plaintiff lost (Verdicts affirmed)	Not Widely Disclosed [NWD]
29	Alvarado v. KOB-TV, LLC , 493 F.3d 1210 (10th Cir. 2007).	7/13/2007	Undercover police officers	Local television station	The officers' names, addresses, video images of the officers, and fact that they were undercover police officers	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Already Public [AP]; [Newsworthy]
30	Silver v. Primero Reorganized Sch. Dist. No. 2 , 619 F. Supp. 2d 1074 (D. Colo. 2007).	8/22/2007	Pre-school teacher's assistant	School counselor	Disclosure of "personal matters" to school principal	Motion to Dismiss	Plaintiff lost (Motion granted)	[Pleading]; Already Public [AP] (complaint did not suggest whether issues were not otherwise already public knowledge)
31	Anderson v. Suiters , 499 F.3d 1228 (10th Cir. 2007).	8/28/2007	Woman who was allegedly raped by her husband	Television reporter and television station	Broadcast of excerpts of videotape allegedly showing plaintiff being raped while unconscious by her estranged husband	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Newsworthy]
32	Foothill Fed. Credit Union v. Superior Court , 66 Cal. Rptr. 3d 249 (Cal. Ct. App. 2007).	9/24/2007	Individuals with financial information at credit union	Credit union	Disclosure of financial records in response to subpoena in probate action	Writ of mandate (appeal) from Order Denying Motion to Dismiss	Plaintiff lost (Order overturned)	Litigation Privilege [LitPriv]
33	Valeriano v. Rome Sentinel Co. , 842 N.Y.S.2d 805 (N.Y. App. Div. 2007).	9/28/2007	Individual	Newspaper	Plaintiff's, name, birth date, address, and social security number in connection with alleged illegal gambling operation	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Newsworthy]
34	Conradt v. NBC Universal, Inc. , 536 F. Supp. 2d 380 (S.D.N.Y. 2008).	2/26/2008	Sister of deceased assistant district attorney who committed suicide as police and NBC's "Catch a Predator" show were about to arrest and expose him for attempting to solicit a minor online	Television broadcast company	Publication of facts pertaining to deceased brother's alleged solicitation of a minor online	Motion to dismiss	Plaintiff lost (Motion dismissed)	[Other] (Relative of deceased lacks standing to bring privacy claim on behalf of the deceased)
35	Smith v. Stewart , 660 S.E.2d 822 (Ga. Ct. App. 2008).	3/28/2008	Former friend of defendant author, worked as flight attendant	Author and book publishers	Publication in novel of details pertaining to plaintiff's personal life, including romantic relationship details	Appeal of Order Denying Motion for Summary Judgment	Plaintiff won (Order affirmed, Merits TBD)	

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36	H.D. v. BHC Meadows Hosp., Inc. , 884 N.E.2d 849 (Ind. Ct. App. 2008).	4/10/2008	High school student and her parents	Adolescent psychiatric hospital	Fax and satisfaction surveys sent to student's high school counselor revealing facts regarding the student's hospitalization	Appeal of Order Granting Motion to Dismiss	Plaintiff won (Order reversed; while not crystal clear from jury form, appears plaintiff student subsequently prevailed on privacy claim at trial)	
37	Regan-Touhy v. Walgreen Co. , 526 F.3d 641 (10th Cir. 2008).	5/20/2008	Pharmacy patient	Pharmacy (Walgreen)	Medical information (disclosure that plaintiff had genital herpes)	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Pleading] (lack of evidence that defendant's employee actually made any disclosure)
38	Seegmiller v. LaVerkin City , 528 F.3d 762 (10th Cir. 2008).	6/10/2008	Police officer	City and city manager	Allegations that plaintiff engaged in sexual conduct/extra-marital affair	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Pleading] (lack of evidence that defendant actually made the disclosure)
39	Snavely v. AMISUB of South Carolina, Inc. , 665 S.E.2d 222 (S.C. Ct. App. 2008).	6/12/2008	Patient	Hospital and doctor	Medical information (disclosure that plaintiff had hepatitis B to plaintiff's brother and sister-in-law who accompanied plaintiff to appointments)	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
40	Wilson v. Libby , 535 F.3d 697 (D.C. Cir. 2008).	8/12/2008	Covert CIA agent and her husband, a former ambassador	Multiple high-ranking officials in U.S. federal government	Disclosure of plaintiff's status as a covert CIA agent	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Other] (Westfall Act immunity)
41	Byra-Grzegorzczak v. Bristol-Myers Squibb Co. , 572 F. Supp. 2d 233 (D. Conn. 2008).	8/20/2008	Employee Scientist	Pharmaceutical company	Medical information (information regarding plaintiff's anxiety)	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]; Already Public [AP]; [Pleading]
42	Adams v. King Cty. , 192 P.3d 891 (Wash. 2008).	9/25/2008	Mother of deceased	County government	Medical information (disclosure of deceased son's body tissue and confidential autopsy records to a medical research institute)	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD] (disclosure to research institute was insufficient); Not Offensive [NO]
43	Lambert v. Hartman , 178 Ohio App.3d 403, 2008 -Ohio- 490, 898 N.E.2d 67, <i>rev'd</i> , 125 Ohio St.3d 231, 2010 -Ohio- 1483, 927 N.E.2d 585.	9/26/2008	Identity theft victim	County clerk of courts	Publication on website of plaintiff's social security number and other personal identifying information including driver's license number, name, birth date, and home address contained on a traffic ticket	Appeal of Order Granting Motion to Dismiss	Plaintiff won (Order reversed; Merits TBD; while the appeals court concluded that publication of traffic ticket information could state cognizable public disclosure claim, the Ohio Supreme Court subsequently reversed and remanded for determination of whether defendant was entitled to immunity or whether any exceptions to immunity applied)	

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44	Howell v. Enterprise Pub. Co., LLC , 893 N.E.2d 1270 (Mass. App. Ct. 2008), <i>rev'd in part by</i> 920 N.E.2d 1 (Mass. 2010).	10/1/2008	Superintendent of town sewer department	Newspaper and reporters	Publication of information pertaining to plaintiff's alleged misconduct, including, among other issues, misuse of town computers	Appeal of Order Denying Motion for Summary Judgment	Plaintiff lost (Order reversed)	[Newsworthy]
45	Walker v. Walker , 668 S.E.2d 330 (Ga. Ct. App. 2008).	10/8/2008	Ex-husband	Ex-wife, her attorney, and a psychologist	"Private facts" including potentially that plaintiff had been removed from pickup list at their son's school	Appeal of Order Granting Motion to Dismiss	Plaintiff won (Order reversed, Merits TBD)	
46	Patrick v. Cleveland Scene Pub. LLC , 582 F. Supp. 2d 939 (N.D. Ohio 2008).	10/20/2008	Doctor	Newspaper publisher and author	Publication of information pertaining to plaintiff's medical training and career	Motion for Summary Judgment	Plaintiff lost (Motion granted)	[Newsworthy]
47	Groff v. Southwest Beverage Co., Inc. , 997 So.2d 782 (La. Ct. App. 2008).	11/5/2008	Employee beer salesperson	Employer beverage company and Vice President of Sales and Marketing	Medical information (emotional stress-related problems that were allegedly disclosed in workplace by plaintiff's supervisors)	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Motion affirmed)	Not Widely Disclosed [NWD]; [Pleading]
48	Pinero v. Jackson Hewitt Tax Service Inc. , 594 F. Supp. 2d 710 (E.D. La. 2009).	1/7/2009	Tax return customer	Tax return preparer franchisee and franchisor	Tax return/financial information was dumped undestroyed in public dumpster and subsequently found by third party	Motion to Dismiss	Plaintiff won (Motion denied) [NB: Claim was subsequently dismissed against franchisor (but not franchisee) based on lack of agency relationship; 638 F. Supp. 2d 632 (E.D. La. 2009)]	
49	Rossi v. Schlarbaum , 600 F. Supp. 2d 650 (E.D. Pa. 2009).	1/29/2009	Married co-owner of online swimwear and active wear company (who also worked as a stripper)	Wife of potential investor in plaintiff's company (potential investor was allegedly involved in sexual relationship with plaintiff)	Disclosure in multiple phone calls and voicemails that plaintiff was stripper and potentially other embarrassing facts	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
50	In re French , 401 B.R. 295 (E.D. Tenn. 2009).	2/13/2009	Bankruptcy debtor	Financial institution/creditor	Disclosure of plaintiff's social security number and birthdate as part of defendant's proof of claim submitted in plaintiff's bankruptcy on Pacer/ECF	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]; Already Public [AP]
51	Boring v. Google, Inc. , 598 F. Supp. 2d 695 (E.D. Pa. 2009), <i>aff'd</i> 362 Fed. Appx. 273 (3d Cir. 2010).	2/17/2009	Residents of private road	Google	Disclosure via Google Street View of images of plaintiffs' home taken from their driveway/private road beyond signs declaring "Private Road" and "No Trespassing"	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Offensive [NO]; Already Public [AP]

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52	Harris v. United States Dep't of Justice , 600 F. Supp. 2d 129 (D.D.C. 2009).	3/5/2009	Prisoner	Court-appointed counsel	Attorney-client confidences	Motion to Dismiss	Plaintiff lost (Motion granted)	[Pleading]; [Other] (declines to exercise supplemental jurisdiction)
53	Moreno v. Hanford Sentinel, Inc. , 91 Cal. Rptr. 3d 858 (Cal. Ct. App. 2009).	4/2/2009	Female college student and her family	High school principal and the high school	Principal sent copy of plaintiff's online MySpace journal post about author's hometown to local newspaper, who published it	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order Affirmed)	Already Public [AP]
54	Carter v. Flagler Hospital, Inc. , 411 B.R. 730 (M.D. Fla. 2009).	4/6/2009	Bankruptcy debtor	Hospital/creditor	Disclosure of plaintiff's social security number, birthdate, account number, telephone numbers, and medical information as part of defendant's proof of claim submitted in plaintiff's bankruptcy	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]; Not Offensive [NO]
55	Vargas v. Shepherd , 903 N.E.2d 1026 (Ind. Ct. App. 2009).	4/8/2009	Patient	Doctor/surgeon	Medical information	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]; [Pleading]
56	Randolph v. ING Life Ins. & Annuity Co. , 973 A.2d 702 (D.C. Ct. App. 2009).	6/18/2009	Government employees who participated in deferred compensation plan	Insurance/annuity company	Social security numbers and other personal information contained on defendant's employee's unsecured laptop computer that was stolen	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
57	Yath v. Fairview Clinics, N.P. , 767 N.W.2d 34 (Minn. Ct. App. 2009).	6/23/2009	Patient	Health care clinic and clinic employee	Medical information that plaintiff had a sexually transmitted disease and new sexual partner was disclosed by clinic employee and eventually posted on the internet	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Pleading] (lack of evidence that defendant posted information to the internet)
58	Wilson v. Freitas , 214 P.3d 1110 (Haw. Ct. App. 2009).	6/30/2009	Crime suspect	Newspaper publisher, and author of newspaper article	Identification of plaintiff as a suspect in a criminal investigation	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Newsworthy]; Already Public [AP] (court also discusses that plaintiff had previously been identified/associated with crimes)
59	Walker v. Gambrell , 647 F. Supp. 2d 529 (D. Md. 2009).	7/1/2009	U.S. Treasury Department employee	United States government	Disclosure by plaintiff's supervisor that plaintiff had miscarried to several employees/co-workers	Motion to Dismiss	Plaintiff lost (Motion granted)	[Other] (Failure to exhaust pursuant to FTCA)

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60	Philbrook v. Perrigo , 637 F. Supp. 2d 48 (D. Mass. 2009).	7/14/2009	Victim of alleged police harassment	City, Police Department, multiple police officers, and members of police department leadership	Use of plaintiff's mugshot as wallpaper on police computers, which showed her crying and upset	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP]
61	Browning v. AT&T Corp. , 682 F. Supp. 2d 832 (N.D. Ill. 2009).	12/11/2009	Debtor	Creditor phone company and collection agency	Financial information (unpaid debt) disclosed via phone to multiple of plaintiff's business associates and acquaintances	Motion to Dismiss	Plaintiff won (Motion denied, Merits TBD)	
62	Parnigoni v. St. Columba's Nursery School , 681 F. Supp. 2d 1 (D.D.C. 2010).	1/29/2010	Mother, father, and child (mother was teacher at defendant nursery school)	Private nursery school and school officials	Disclosure via letter to parish member that plaintiff father was convicted sex offender and that plaintiff son had withdrawn from the school	Motion to Dismiss	Plaintiff lost (Motion granted)	Already Public [AP]; [Newsworthy]
63	Catsouras v. Dep't of Cal. Highway Patrol , 104 Cal. Rptr. 3d 352 (2010).	1/29/2010	Family of decedent automobile accident victim	California highway patrol and two patrol officers	Email of gruesome photos of decedent's mutilated corpse to officers' friends and families, with photos eventually being posted on internet	Appeal of Order Granting Motion to Dismiss	Plaintiff won (Motion denied, Merits TBD)	
64	Lorenzo v. United States , 719 F. Supp. 2d 1208 (S.D. Cal. 2010).	2/2/2010	Border patrol agent and his wife	The United States (Customs and Border Protection)	Disclosure of surveillance video showing plaintiff shooting and killing undocumented immigrant	Motion to Dismiss	Plaintiff lost (Motion granted)	[Newsworthy]; Already Public [AP]
65	Mullen v. City of Grenada , 704 F. Supp. 2d 567 (N.D. Miss. 2010).	3/31/2010	Police officer	City councilman	Disclosure to private individuals that plaintiff had failed drug tests	Motion for Summary Judgment	Plaintiff won (Motion denied, Merits TBD)	
66	Robinson v. Brannon , 313 S.W.3d 860 (Tex. App. 2010).	5/20/2010	Teacher	Two other school district employees	Disclosure via email to other school district employees that plaintiff had AIDS, was attempting to spread the disease, and information regarding his sexual preferences	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Pleading] (lack of evidence that defendants disseminated the information)
67	Maple v. Colonial Orthopedics, Inc. , 434 B.R. 363 (E.D. Va. 2010).	07/21/2010	Bankruptcy debtors	Medical creditor	Disclosure of plaintiff's phone numbers, birth dates, , Social Security Numbers, insurance information, and confidential medical information as part of defendant's proof of claim submitted in plaintiff's bankruptcy	Motion to Dismiss	Plaintiff lost (Motion granted)	[Other] (Virginia does not recognize public disclosure tort)

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	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
68	Aronson v. Dog Eat Dog Films, Inc. , 738 F. Supp. 2d 1104 (W.D. Wash. 2010).	8/31/2010	Video creator/copyright owner	Film production company (owned by Michael Moore that produced the documentary <i>Sicko</i>)	Inclusion of 16 seconds of video showing plaintiff's voice and image in documentary about healthcare crisis in America	Motion to Strike Pursuant to Anti-SLAPP Statute	Plaintiff lost (Motion granted)	Not Offensive [NO]; Already Public [AP]; [Newsworthy]; [Other] (Copyright preemption)
69	Clark v. County of Tulare , 755 F. Supp. 2d 1075 (E.D. Cal. 2010).	11/17/2010	Police officer	County government and county sheriff	Disclosure to media outlet of report containing plaintiff's name, employer, date of birth, age, race, sex, height, weight, hair and eye color, date of birth, home address, driver's license number, home and cellular telephone number, and suggesting he was at fault for accidental shooting of someone	Motion for Summary Judgment	Plaintiff lost (Motion granted)	[Pleading] (lack of admissible evidence defendants made the disclosure)
70	Sims v. Humane Soc. Of St. Joseph Cty. Ind. Inc. , 758 F. Supp. 2d 737 (N.D. Ind. 2010).	12/22/2010	African-American family	Veterinary clinic and clinic employees	Disclosure to humane society regarding level of care plaintiffs had allegedly provided to previous pet	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
71	Cooney v. Chicago Public Schools , 407 IL App 3d 358.	12/30/2010	~1,700 former public school employees	Board of Education and a printing company	Disclosure to group of about ~1,700 former public school employees of each plaintiffs' identity along with their addresses, social security numbers, marital status, medical and dental insurers and health insurance plan information	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Already Public [AP]; Not Offensive [NO]
72	Dunbar v. Cox Alliance Health , 446 B.R. 306 (E.D. Ark. 2011).	1/21/2011	Bankruptcy debtor	Creditor/Medical provider	Disclosure of plaintiff's date of birth and health information as part of defendant's proof of claim submitted in plaintiff's bankruptcy	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
73	G.D. v. Kenny , 15 A.3d 300 (N.J. 2011).	1/31/2011	Former aide to candidate for political office	Local Democratic organization and purported authors and distributors of political flyer at issue	Distribution in campaign flyers that plaintiff had a criminal history for a drug crime when the record had, in fact, already been expunged by the time the flyer was distributed	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Already Public [AP]
74	Lovejoy v. Linehan , 20 A.3d 274 (N.H. 2011).	2/23/2011	Candidate for sheriff	Incumbent sheriff and deputy sheriff	Disclosure of plaintiff's annulled criminal record to newspaper report for publication	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Newsworthy]
75	Doe v. Peterson , 784 F. Supp. 2d 831 (E.D. Mich. 2011).	3/24/2011	Teenage girl	Revenge porn website and the website's operators	Posting of nude photos of plaintiff taken when she was seventeen years old on the defendants' website	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP] (photos had previously been posted on another website)

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
76	E.E.O.C. v. C.R. England, Inc. , 644 F.3d 1028 (10th Cir. 2011).	5/3/2011	Employee/truck driver	Employer/trucking company	Disclosure of plaintiff's HIV-positive status to potential trainee and other employees	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
77	Williams v. Wicomico County Bd. of Educ. , 836 F. Supp. 2d 387 (D. Md. 2011).	7/21/2011	African-American former high school teacher	Local board of education and multiple school administrators	Disclosure of plaintiff's expunged record of alleged crime for which plaintiff was acquitted to prospective employers	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
78	Amato v. Dist. Attorney for Cape and Islands Dist. , 952 N.E.2d 400 (Mass. App. Ct. 2011).	8/25/2011	Private citizen who provided DNA sample to assist police with murder investigation based on promise that sample would not be retained	District Attorney, Crime Lab, and other government officials	Retention of plaintiff's DNA sample with alleged availability for future disclosure/use in other criminal proceedings	Appeal of Order Granting Motion to Dismiss	Plaintiff won (Order reversed, Merits TBD)	
79	Beyene v. Hilton Hotels Corp. , 815 F. Supp. 2d 235 (D.D.C. 2011).	9/30/2011	Ethiopian-native, room service food server	Hotel company (Hilton)	Disclosure that plaintiff received injections from a particular doctor as a form of medical treatment to a few coworkers	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
80	Hudson v. Dr. Michael J. O'Connell's Pain Care Ctr., Inc. , 822 F. Supp. 2d 84 (D.N.H. 2011).	10/4/2011	Employee office assistant and patient of defendant doctor, subsequently also engaged in romantic relationship with defendant doctor	Doctor and his medical center	Failure to keep computerized medical records confidential such that other employees/coworkers at defendant medical office learned of plaintiff's herpes infection	Motion to Dismiss	Plaintiff won (Motion denied, Merits TBD)	
81	Williams v. Cobb County Farm Bureau, Inc. , 718 S.E.2d 540 (Ga. Ct. App. 2011). [NB: This claim seems to sound in false light invasion of privacy, but the court at times seems to treat it as a public disclosure claim].	10/14/2011	Sales manager for insurance company	Farmer, radio broadcaster, volunteer board member of farm bureau	Disclosure at meetings that plaintiff's insurance sales plan was akin to money laundering and that plaintiff was fired because defendant threatened to go public with a racist email sent by plaintiff	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
82	Hutchins v. Clarke , 661 F.3d 947 (7th Cir. 2011).	10/24/2011	Deputy sheriff and sheriff's association	Sheriff	Disclosure by sheriff of plaintiff's disciplinary record on a radio program	Appeal of Order Granting Plaintiff's Motion for Summary Judgment	Plaintiff lost (Order reversed)	Already Public [AP]
83	Paige v. Drug Enforcement Admin. , 665 F.3d 1355 (D.C. Cir. 2012).	1/17/2012	Employee DEA agent	Employer DEA	Disclosure of video taken in public space of plaintiff accidentally shooting himself in the leg	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Already Public [AP]; [Newsworthy]

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
84	Wells v. Cincinnati Children's Hosp. Med. Ctr. , 860 F. Supp. 2d 469 (S.D. Ohio 2012).	2/15/2012	Employee nurse	Employer hospital	Disclosure at training session that plaintiff was allegedly abusing controlled substances	Motion for Summary Judgment	Plaintiff lost (Motion granted)	[Pleading] (lack of admissible evidence that defendant made the disclosure)
85	Machon v. Pa. Dep't of Pub. Welfare , 847 F. Supp. 2d 734 (E.D. Pa. 2012).	2/23/2012	Former employee nurse	Supervisors and coworkers of plaintiff at state hospital	Disclosure of plaintiff's job performance information to coworkers and patients	Motion to Dismiss	MIXED OUTCOME Plaintiff won (Motion denied as to several defendants; Merits TBD) Plaintiff lost (Motion granted as to several defendants)	[Pleading] (lack of allegations implicating certain defendants)
86	Peckham v. New England Newspapers, Inc. , 865 F. Supp. 2d 127 (D. Mass. 2012).	6/4/2012	Car accident injury victim	Newspaper publisher	Publication of photograph of plaintiff as emergency personnel were attempting to rescue him from automobile accident	Motion to Dismiss	Plaintiff won (Motion denied; Merits TBD)	
87	In re iPhone Application Litigation , 844 F. Supp. 2d 1040 (N.D. Cal. 2012).	6/12/2012	Putative class of users of Apple iDevices	Apple, Inc. and other Mobile Industry Defendants	Potential disclosure of unique device identifier number, personal data, and geolocation information from Plaintiffs' iDevices	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Offensive [NO]
88	Tarzia v. State , 44 A.3d 1245 (R.I. 2012).	6/12/2012	School board member	Police department sergeant	Disclosure to newspaper that plaintiff had been arrested for cocaine possession after a judge had ordered the record sealed	Appeal of Order Granting Judgment as a Matter of Law	Plaintiff lost (Order affirmed)	Already Public [AP]
89	Keller v. Patterson , 2012 WI App 78, 343 Wis. 2d 569, 819 N.W.2d 841.	6/20/2012	Family members of convicted sex offender	Neighbor of the plaintiffs	Distribution of six-page fliers in the community providing, among other information, sex offender's address and identifying plaintiffs as his parents with whom he lived	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Already Public [AP]
90	Bilbrey v. Myers , 91 So.3d 887 (Fla. Dist. Ct. App. 2012).	6/29/2012	Former church member	Plaintiff's former pastor and church	Disclosure that plaintiff was allegedly gay to defendant's & plaintiff's church, church officials, and plaintiff's new pastor in another state	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
91	Doe v. Beasley Broadcast Group, Inc. , 105 So.3d 1 (Fla. Dist. Ct. App. 2012).	9/21/2012	Former girlfriend of one of defendants' disc jockeys	Owners/operators of radio station	Disclosure of disparaging comments and private facts on air	Appeal of Order Entering Directed Verdict after Trial	Plaintiff won (Order reversed and remanded for new trial, Merits TBD)	
92	Archuleta v. City of Roswell , 898 F. Supp. 2d 1240 (D.N.M. 2012).	9/30/2012	Prisoner	Plaintiff's former criminal defense attorney	Disclosure of plaintiff's criminal record in newspaper	Motion to Dismiss	Plaintiff lost (Motion granted)	Already Public [AP]

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
93	R.K. v. St. Mary's Med. Ctr., Inc. , 735 S.E.2d 715 (W. Va. 2012).	11/15/2012	Patient	Hospital	Disclosure of plaintiff's medical records to estranged wife and her divorce attorney	Appeal of Order Granting Motion to Dismiss	Plaintiff won (Order reversed, Merits TBD)	
94	Swartz v. City Mortg., Inc. , 911 F. Supp. 2d 916 (D. Haw. 2012). [NB: Claim is under Hawaii constitution's privacy provision]	11/28/2012	Mortgagees	Mortgage lenders/financial institutions	Alleged disclosure of plaintiffs' personal and financial information to third-parties	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP] (relying on United States v. Miller, 425 U.S. 435 (1976), (and third-party doctrine) to conclude no cause of action for disclosure of bank records)
95	Collins v. BAC Home Loans Servicing LP (Bank of America N.A.) , 912 F. Supp. 2d 997 (D. Colo. 2012).	12/12/2012	Debtor	Financial institution	Negative credit information	Motion for Summary Judgment	Plaintiff lost (Motion granted)	[Other] (claim preempted by Fair Credit Reporting Act and barred by res judicata)
96	Buzayan v. City of Davis , 927 F. Supp. 2d 893 (E.D. Cal. 2013).	2/25/2013	Muslim female juvenile arrestee and her family	City, police department employees, and district attorneys	Disclosure of family members' names and home address through release to media of audiotape regarding juvenile's arrest for hit-and-run accident, which had attracted local media attention because juvenile and her family were Muslim.	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP]; [Newsworthy]; [Other] (immunity as to certain defendants)
97	Pietrangelo v. Wilmer Cutler Pickering Hale & Dore, LLP , 68 A.3d 697 (D.C. 2013).	4/11/2013	Former client/gay male	Law firm	Disclosure of confidential information to another attorney with whom plaintiff was working	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
98	Edwards v. National Vision, Inc. , 946 F. Supp. 2d 1153 (N.D. Ala. 2013), <i>aff'd</i> 568 Fed. Appx. 854 (11th Cir. 2014).	5/17/2013	Former employee/visual acuity technician/black female	Employer/national retail optical firm	Disclosure that plaintiff was an allegedly unreliable employee and was in anger-management classes	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]
99	Holloway v. Am. Media, Inc. , 947 F. Supp. 2d 1252 (N.D. Ala. 2013).	5/22/2013	Mother of daughter who disappeared while on a trip to Aruba	Publishers/parent company of the tabloid The National Enquirer	Publication of article purporting to describe the death/burial of plaintiff's daughter	Motion to Dismiss	Plaintiff lost (Motion granted)	Already Public [AP]; [Newsworthy]
100	Tomaselli v. Beaulieu , 967 F. Supp. 2d 423 (D. Mass. 2013).	8/30/2013	Property owners	Town and town officials	Unspecified disclosure	Motion to Dismiss	Plaintiff lost (Motion granted)	[Pleading] (no alleged facts that defendants disclosed information that was private to the plaintiffs)

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
101	Doe v. Gangland Prods., Inc. , 730 F.3d 946 (9th Cir. 2013).	9/16/2013	Former prison gang member and police informant	Documentary film producers of <i>Gangland</i> , a documentary television series on gangs	Disclosure of plaintiff's identity in their documentary after they allegedly agreed not to disclose it	Appeal of Order Denying Anti-SLAPP Motion	Plaintiff won (Order reversed, Merits TBD)	
102	Oberg v. City of Taunton , 972 F. Supp. 2d 174 (D. Mass. 2013).	9/25/2013	Former city police chief	Prospective employee seeking employment with city police department; city councilmembers; two members of police department leadership	Disclosure by prospective employee at hearing that plaintiff was allegedly engaged in an extramarital affair and discussion among city council members regarding plaintiff's medical condition at a city council hearing that plaintiff was not able to attend	Motion to Dismiss	MIXED OUTCOME Plaintiff won (Motion denied as to prospective employee who disclosed information regarding sexual conduct; Merits TBD) Plaintiff lost (Motion granted as to remaining defendants regarding discussion of medical condition and plaintiff's potential interference with an investigation)	Not Offensive [NO]
103	Budik v. Howard Univ. Hosp. , 986 F. Supp. 2d 1 (D.D.C. 2013).	9/30/2013	Female African-American physician	Chairman of radiology department and university hospital (plaintiff's employer)	Disclosure of plaintiff's confidential employment information, information from plaintiff's CV, and plaintiff's photograph on the internet	Motion to Dismiss	Plaintiff lost (Motion granted)	Already Public [AP]; Not Offensive [NO]; [Pleading]
104	Brown v. CVS Pharmacy, L.L.C. , 982 F. Supp. 2d 793 (M.D. Tenn. 2013).	10/9/2013	Physician	Pharmacies	Disclosure to pharmacy patients that plaintiff was under investigation by the Drug Enforcement Agency	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Already Public [AP]; Not Widely Disclosed [NWD]; Not Offensive [NO]; [Newsworthy]
105	Dumas v. Koebel , 2013 WI App 152, 352 Wis. 2d 13, 841 N.W.2d 319.	11/5/2013	School bus driver	Reporter and broadcast company	Disclosure on television broadcast that plaintiff had received misdemeanor conviction for sex work eight years previously, in addition to information regarding a drug and driving arrest, and a school bus accident	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Already Public [AP]
106	Armstrong v. Thompson , 80 A.3d 177 (D.C. 2013).	11/21/2013	Special agent with tax inspector general	Married co-workers of plaintiff	Letters sent to prospective employer of plaintiff saying that plaintiff was under investigation for gross misconduct at prior employer	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
107	Purzel Video GMBH v. Smoak , 11 F. Supp. 3d 1020 (D. Colo. 2014), <i>parallel decision at</i> 10 F. Supp. 3d 1158 (D. Colo. 2014).	1/6/2014	BitTorrent user that allegedly reproduced films protected by copyright	Film creator/owner	Internet subscriber information and files shared over BitTorrent	Motion to Dismiss	Plaintiff lost (Motion granted) [NB: Technically, privacy claimant was bringing a counterclaim]	Already Public [AP]
108	Galaria v. Nationwide Mut. Ins. , 998 F. Supp. 2d 646 (S.D. Ohio 2014) <i>rev'd on other grounds</i> , 663 Fed. Appx. 384 (6th Cir. 2016).	2/10/2014	Insurance customers	Insurance/financial services corporation	Plaintiffs' personally identifiable information that was stolen/hacked from defendants	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]; [Pleading]
109	Johnson v. Johnson & Bell, LTD. , 2014 IL App (1st) 122677.	2/24/2014	Discount store customer	Discount store and store's attorneys	Disclosure in court filing of plaintiff's social security number, date of birth, financial information, and medical information	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Litigation Privilege [LitPriv]
110	Cumberland Contractors, Inc. v. State Bank & Trust Co., Inc. , 755 S.E.2d 511 (Ga. Ct. App. 2014).	3/18/2014	Borrowers	Bank/lender	Disclosure of plaintiffs' social security numbers in attachment to court filing	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed) [NB: Technically, privacy claimant was bringing a counterclaim]	Not Offensive [NO]
111	GoDaddy.com LLC v. Toups , 429 S.W.3d 752 (Tex. Ct. App. 2014).	4/10/2014	Putative class of women/revenge porn victims	Website hosting company	Publication of sexually explicit photographs of plaintiffs on websites hosted by defendant	Interlocutory appeal of Order Denying Motion to Dismiss	Plaintiff lost (Order reversed and judgment entered for defendant)	[Other] (CDA section 230 Immunity)
112	Marin v. McClincy , 15 F. Supp. 3d 602 (W.D. Pa. 2014).	4/11/2014	Emergency Medical Service (EMS) applicant	Employee and director of agency that received plaintiff's application	Disclosure of plaintiff's job applications as attachments/exhibits to court filings	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Litigation Privilege [LitPriv]
113	Rosado-Montes v. United States , 8 F. Supp. 3d 55 (D.P.R. 2014).	4/11/2014	Nursing student/veteran	United States/Department of Veterans Affairs	Disclosure of plaintiff's medical information, including information regarding sexually transmitted diseases, to classmates/employees at Veterans Hospital	Motion to Dismiss	Plaintiff won (Motion denied, Merits TBD) [NB: Individual defendants were dismissed because Federal Tort Claims Act claims can only be brought against the federal government itself]	

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
114	<i>In re Science Applications International Corp. (SAIC) Backup Tape Data Theft Litigation</i> , 45 F. Supp. 3d 14 (D.D.C. 2014).	5/9/2014	Military personnel and families who use TRICARE health care	Information technology company (SAIC) and the Department of Defense and related government defendants	Data tapes containing personal information and medical information of 4.7 million TRICARE users that were stolen from car of SAIC employee	Motion to Dismiss	Plaintiff lost (Motion granted) [NB: While majority of plaintiffs were dismissed, two plaintiffs who plausibly alleged that their data had in fact been accessed were deemed to have standing and permitted to proceed]	Not Widely Disclosed [NWD] (While thief took tapes, insufficient allegations that personal and medical information of plaintiffs had otherwise been accessed resulting in a lack of standing/injury)
115	<i>Opperman v. Path, Inc.</i> , 87 F. Supp. 3d 1018 (N.D. Cal. 2014).	5/14/2014	Apple device purchasers	App Developers	Transmission of plaintiffs' address books in an unencrypted manner over public WiFi, making the address books publicly available to third parties and service providers	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]; [Pleading]
116	<i>Kimbrell v. Kimbrell</i> , 331 P.3d 915 (N.M.), <i>rev'g</i> 306 P.3d 495 (N.M. Ct. App. 2014).	6/23/2014	Father	Guardian ad litem	Disclosure of daughter's medical and psychological information to court and parties	Petition for Review of Appeal Order Granting in Part and Denying in Part Motion for Summary Judgment	Plaintiff lost (District Court order granting summary judgment affirmed)	[Other] (Guardian ad litem was entitled to immunity and parent lacked standing to bring claims on behalf of child)
117	<i>Livingston v. Marion Bank Trust & Co.</i> , 30 F. Supp. 3d 1285 (N.D. Ala. 2014).	7/8/2014	Bank employee and her husband	Bank and bank president	Disclosing that plaintiff bank employee had allegedly been raped in front of other employees and customers	Motion for Summary Judgment	Plaintiff won (Motion denied; Merits TBD)	
118	<i>Loumiet v. United States</i> , 65 F. Supp. 3d 19 (D.D.C. 2014), <i>subsequent history at</i> 106 F. Supp. 3d 219 (D.D.C. 2015); 828 F.3d 935 (D.C. Cir. 2016); 255 F. Supp. 3d 75 (D.D.C. 2017).	8/21/2014	Bank official subject to enforcement proceeding by Office of the Comptroller of Currency	United States Government (Office of the Comptroller of Currency)	Dissemination of "private" information via statements to the press	Motion to Reconsider Denial of Motion to Dismiss	Plaintiff won (Motion denied; Merits TBD)	
119	<i>Purcell v. Am. Legion</i> , 44 F. Supp. 3d 1051 (E.D. Wash. 2014).	8/26/2014	Two employee-service officers who helped veterans with benefits claims	American Legion and supervisor	Disclosure of plaintiffs' health information, including PTSD and so-called "mental problems", to two unprivileged employees	Motion for Summary Judgment	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
120	Burton v. Mapco Express, Inc. , 47 F. Supp. 3d 1279 (N.D. Ala. 2014).	9/12/2014	Customer	Convenient store corporations	Defendant's computer network was hacked and hackers accessed plaintiff's financial/credit card information on store with defendant	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Widely Disclosed [NWD]; [Pleading] (lack of intentional conduct alleged)
121	Kelley v. Fed. Bureau of Investigation , 67 F. Supp. 3d 240 (D.D.C. 2014).	9/15/2014	Couple who received anonymous cyberstalking emails, later discovered to be from Paula Broadwell (biographer who had an affair with General David Petraeus)	Secretary of Defense and Defense Department Press Secretary	Leaking of plaintiffs' private facts by defendants, such as plaintiffs' personal contact information, personal correspondence, personal relationships, personal financial concerns, family matters, and confidential information about their victimization by a cyberstalker to the media	Motion to Dismiss	Plaintiff lost (Motion granted) [NB: Claim is permitted to proceed against Doe Defendants]	[Other] (Westfall Act immunity)
122	Franchise Tax Bd. of Cal. v. Hyatt , 335 P.3d 125 (Nev. 2014).	9/18/2014	Taxpayer	Franchise tax board	Disclosure of plaintiff's name, address, and social security number	Appeal of Jury Verdict in Favor of Plaintiff	Plaintiff lost (Judgment reversed)	Already public [AP]
123	J.H. v. St. Vincent Hosp. & Health Care Ctr., Inc. , 19 N.E.3d 811 (Ind. Ct. App. 2014).	10/31/2014	Patient	Hospital	Disclosure of information regarding plaintiff's mental health to plaintiff's grandmother when plaintiff reported he was contemplating suicide	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	Not Widely Disclosed [NWD]
124	Walgreen Co. v. Hinchy , 21 N.E.3d 99 (Ind. Ct. App. 2014), <i>on reh'g</i> 25 N.E.3d 748 (Ind. Ct. App. 2015).	11/14/2014	Pharmacy patient	Pharmacist and drugstore	Disclosure of plaintiff's prescription information to plaintiff's ex-boyfriend	Appeal of Jury Verdict in Favor of Plaintiff	Plaintiff won (Verdict judgment affirmed)	
125	Doe v. Henry Ford Health Sys. , 865 N.W.2d 915 (Mich. Ct. App. 2014).	12/18/2014	Patients	Healthcare system and transcription services company	Disclosure of patient health records on the internet, including information regarding sexually transmitted disease	Appeal of Order Denying Motion for Summary Judgment	Plaintiff lost (Order reversed)	[Pleading] (lack of intentional conduct alleged)
126	Tobin v. Fed. Express Corp. , 775 F.3d 448 (1st Cir. 2014).	12/30/2014	Package recipient	Package delivery company	Disclosure of plaintiff's address to sender of package of marijuana that plaintiff was accidentally delivered by FedEx	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Pleading] (lack of evidence defendant made the disclosure)
127	McMullen v. McHughes Law Firm , 2015 Ark. 15, 454 S.W.3d 200.	1/22/2015	Credit card holder	Law firm of credit card issuer	Disclosure of plaintiff's financial information	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Other] (public disclosure tort requires disclosure of true information, and plaintiff alleges the disclosed information is false)

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
128	Liu v. Northwestern Univ. , 78 F. Supp. 3d 839 (N.D. Ill. 2016).	1/26/2015	Former law student	University and associate dean of university's law school	Disclosure via email that plaintiff was seeking an accommodation, with implications that it was medical in nature, to 23 school employees	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Offensive [NO]
129	McDonough v. WESTconsin Credit Union , 97 F. Supp. 3d 1040 (W.D. Wis. 2015).	3/20/2015	Borrowers	Credit Union	Disclosure of plaintiffs' social security numbers and drivers' licenses in court filing	Motion to Dismiss	Plaintiff lost (Motion granted)	[Other] (statute of limitations)
130	Howard v. Frost Nat'l Bank , 458 S.W.3d 849 (Mo. Ct. App. 2015).	3/24/2015	Debtor, his wife, and their limited liability company investment company	Brokerage firm	Disclosure in court proceeding that plaintiffs had accounts valuing around \$3 million	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Offensive [NO]
131	Kapotas v. Better Gov't Ass'n , 2015 IL App (1st) 101235.	3/31/2015	Orthopedic surgeon	News organizations, government accountability watchdog, and reporters	Disclosure in articles that plaintiff received payment from hospital during unpaid leave of absence	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Newsworthy]
132	Foster v. Svenson , 128 A.D.3d 150 (N.Y. App. Div. 2015).	4/9/2015	Neighbors of defendant	Photographer/artist	Surreptitious photos of plaintiffs in their home across the street from defendant's home and subsequent public display of those photos as "art work"	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Newsworthy] (holding that works of art are newsworthy and matters of public concern exemption)
133	Ignat v. Yum! Brands, Inc. , No. 30-2008-00114748, 2015 WL 5775305 (Cal. Super. Ct. Apr. 10, 2015), <i>prior proceedings at</i> 214 Cal. App. 4th 808 (Cal. Ct. App. 2013).	4/10/2015	Employee for corporate parent of fast food franchises	Plaintiff's supervisor and corporate entity of fast food company	Disclosure to coworkers that plaintiff had bipolar disorder	Jury Trial	Plaintiff lost (Jury verdict entered in favor of individual defendant and nonsuit entered in favor of corporate defendant)	[Other] (Jury verdict entered in favor of individual defendant and nonsuit entered in favor of corporate defendant, but no explanation for decisions)
134	Expose v. Thad Wilderson & Assoc.s, P.A. , 863 N.W.2d 95 (Minn. Ct. App. 2015), <i>aff'd</i> 889 N.W.2d 279 (Minn. 2016).	5/4/2015	Therapy patient	Unlicensed mental health therapist and clinic	Disclosure of plaintiff's threats against caseworker to law enforcement and caseworker who was threatened	Appeal of Order Granting Motion for Summary Judgment	Plaintiff won (Order reversed; Merits TBD) [NB: Plaintiff survived summary judgment as to pretrial disclosures, but Plaintiff lost on narrow issue regarding the defendant's statements made at trial, which were entitled to litigation privilege]	
135	Branyan v. Southwest Airlines Co. , 105 F. Supp. 3d 120 (D. Mass. 2015).	5/20/2015	Airline employee	Airline/employer	Disclosure by employer to local police of plaintiff's name, home address, and employment status	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Offensive [NO]

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
136	White v. Soc. Sec. Admin. , 111 F. Supp. 3d 1041 (N.D. Cal. 2015).	6/24/2015	Parents of adopted son and the son	United States/Social Security Administration	Unauthorized photocopying of plaintiffs' identity documents	Motion to Dismiss	Plaintiff lost (Motion granted)	Not Offensive [NO]; Not Widely Disclosed [NWD]
137	Doe v. Bernabei & Wachtel, PLLC , 116 A.3d 1262 (D.C. 2015).	6/25/2015	Journalist	Journalist co-worker, journalist co-worker's attorney, and attorney's law firm	Disclosure of video depicting sexual harassment of plaintiff to law firm, which then posted the video on the internet	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Not Offensive [NO]; [Newsworthy]
138	Maglio v. Advocate Health & Hosp. Corp. , 2015 IL App (2d) 140782.	8/6/2015	Patients/former patients	Network of affiliated doctors	Multiple computers belonging to defendants containing plaintiffs' addresses, dates of birth, social security numbers, health insurance data, and medical information were stolen from defendants' administrative building	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	[Pleading] (lack of standing because no allegation of actual disclosure)
139	Fernandez v. Leidos, Inc. , 127 F. Supp. 3d 1078 (E.D. Cal. 2015). [NB: Case arises from same set of underlying facts as <i>In re SAIC Backup Tape Data Theft Litigation</i> , 45 F. Supp. 3d 14 (D.D.C. 2014)]	8/28/2015	Former military service person	Government contractor	Data tapes containing personal information and medical information of military service members were stolen from defendant's employee's car	Motion to Dismiss	Plaintiff lost (Motion granted)	[Pleading] (lack of standing because no allegation of actual disclosure)
140	Coronado v. Freedom Communications, Inc. , No. 13-13-00525-CV, 2015 WL 9434656 (Tex. Ct. App. Sept. 30, 2015).	9/30/2015	Individuals listed in political advertisement as people accused of child-abuse crimes	Newspaper publisher	Disclosure in newspaper advertisement that plaintiffs had been accused of child-abuse crimes	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Newsworthy]
141	Robbins v. Trustees of Indiana Univ. , 45 N.E.3d 1 (Ind. Ct. App. 2015).	10/2/2015	Patient of university medical system	University trustees and medical record systems company	Employee nurse at school of medicine accessed and disclosed plaintiff's medical information	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Other] (no vicarious liability)
142	In re Facebook Internet Tracking Litig. , 140 F. Supp. 3d 922 (N.D. Cal. 2015).	10/23/2015	Facebook users	Facebook/social network	Tracking and storage of plaintiffs' post-logout internet activity via cookies	Motion to Dismiss	Plaintiff lost (Motion granted)	[Pleading] (lack of standing because no allegation of actual disclosure)
143	Johnson-Todd v. Morgan , 480 S.W.3d 605 (Tex. App. 2015).	10/29/2015	Former husband (who is an attorney)	Ex-wife's attorney	Disclosure of information pertaining to criminal case regarding plaintiff in custody proceedings between plaintiff and his ex-wife	Appeal of Order Granting Motion to Dismiss	Plaintiff lost (Order affirmed)	Litigation Privilege [LitPriv]

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
144	Cotto v. City of Middletown , 158 F. Supp. 3d 67 (D. Conn. 2016).	1/19/2016	Puerto Rican man with mental disabilities; Spanish speaking	Police officers	Strip search of plaintiff's buttocks and genitals in view of vehicular and pedestrian traffic	Motion for Judgment as a Matter of Law Following Verdict in Favor of plaintiff	Plaintiff won (Verdict judgment affirmed)	
145	Patel v. Hussain , 485 S.W.3d 153 (Tex. App. 2016).	1/21/2016	Muslim woman	Plaintiff's ex-boyfriend	Disclosure of nude videos of plaintiff on the internet	Appeal of Jury Verdict in Favor of Plaintiff	Plaintiff won (Verdict judgment substantially affirmed)	
146	Judge v. Saltz Plastic Surgery, P.C. , 2016 UT 7, 367 P.3d 1006.	2/4/2016	Patient	Cosmetic surgeon and surgical medical practice	Disclosure of clinical nude photographs of plaintiff to television new station for use in news story	Petition to Review Order Reversing Grant of Summary Judgment	Plaintiff won (Reversal of summary judgment is affirmed; Merits TBD)	
147	Caraccioli v. Facebook, Inc. , 167 F. Supp. 3d 1056 (N.D. Cal. 2016).	3/7/2016	Facebook user/law student	Facebook/social network	Surreptitious Facebook account was created posting sexual videos and photos of plaintiff	Motion to Dismiss	Plaintiff lost (Motion granted)	[Other] (CDA Section 230 Immunity; Facebook's Terms of Service mean it did not "republish" the material)
148	Edmond v. Plainfield Bd. of Educ. , 171 F. Supp. 3d 293 (D. N.J. 2016).	3/18/2016	African-American female employee/social worker	Board of Education	Publication of Board minutes mandating that plaintiff receive psychiatric evaluation	Motion for Summary Judgment	Plaintiff won (Motion denied, Merits TBD)	
149	Bollea v. Gawker Media, LLC , No. 12012447CI-011 (Fla. Cir. Ct. Mar. 18, 2016).	3/18/2016	Professional wrestler	Media company	Publication on website of excerpts of sex tape between plaintiff and another person	Trial	Plaintiff won (Jury verdict in favor of plaintiff)	
150	Grubbs v. Univ. of Del. Police Dep't , 174 F. Supp. 3d 839 (D. Del. 2016).	3/29/2016	Arrestee	Police department and related defendants	Press release from police department that included allegedly private facts about arrestee including allegations of indecent exposure	Motion to Dismiss	Plaintiff lost (Motion granted)	[Newsworthy]; Already Public [AP]
151	Mayor & City Council of City of Richmond Hill v. Maia , 784 S.E.2d 894 (Ga. Ct. App. 2016).	3/30/2016	Mother of deceased teenager	Mayor, City Council, police officer	Disclosure by police officer of police photos of plaintiff's daughter's attempted suicide to police officer's own daughter, who subsequently showed photos to others at the girls' school. Plaintiff's daughter subsequently hung herself.	Appeal from Order Denying Motion for Summary Judgment	Plaintiff lost (Ordered reversed)	Not Widely Disclosed [NWD]
152	Doe v. Brandeis Univ. , 177 F. Supp. 3d 561 (D. Mass. 2016).	3/31/2016	Male undergraduate student who engaged in sexual relationship with another male student	Private university	Disclosure of findings regarding plaintiff's alleged sexual misconduct to current and prospective employers	Motion to Dismiss	Plaintiff lost (Motion granted)	[Pleading] (insufficient facts that defendant made the disclosure)

Public Disclosure Tort Case Chart (2006-2016) – Scott Skinner-Thompson

	Case Name/Citation	Date of Decision	Plaintiff(s)' Identity	Defendant(s)' Identity	Nature of Information Allegedly Disclosed*	Procedural Posture	Outcome	Court's Reason for Judgment
153	Kumar v. George Wash. Univ. , 174 F. Supp. 3d 172 (D.D.C. 2016).	3/31/2016	Professor	Private university	Escorting of plaintiff out of his university lab by security; disassociating plaintiff as student's dissertation advisor after identifying him publicly as the advisor	Motion to Dismiss	Plaintiff lost (Motion granted)	Already Public [AP] (mere fact that defendant's conduct occurred in public doesn't make it a disclosure); [Pleading] (no real disclosure of information)
154	Emeson v. Dep't of Corrections , 194 Wash. App. 617, 376 P.3d 430 (2016).	5/3/2016	Employee of Department of Corrections	Washington Department of Corrections	Supervisor posted Facebook post implying that plaintiff had disability	Appeal of Order Granting Motion for Summary Judgment	Plaintiff lost (Order affirmed)	[Other] (disclosure by supervisor could not be imputed to the employer).
155	Spence v. Cherian , 135 A.3d 1282 (Del. Super. Ct. 2016).	5/20/2016	Pharmacist and pharmacy	Father of HIV-positive pharmacy patient	Father disclosed son's HIV status, which it learned from pharmacy, to son's mother	Motion to Dismiss	Plaintiff lost (Motion granted) [NB: Technically, privacy claimant was third-party plaintiff]	Not Widely Disclosed [NWD]