

INSIGHTS

Taylor Overviews Stored Communications Act

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Commercial & Technology Transactions and Privacy & Data Security Senior Counsel Todd Taylor was published in Bloomberg BNA's *Social Media Law & Policy Report* on November 26. Taylor's article, "Social Media and the Stored Communications Act: Does a 1986 Law Protect Timelines and Tweets?" provides a summary and critique of two recent federal district court rulings that have held that the Stored Communications Act protects private pages of Facebook users.

"It is highly debatable whether Ehling and Crispin were correctly decided (at least on the issue of whether private social media pages are in electronic storage). Both cases based much of their SCA rulings on the fact that the electronic communications at issue were intended to be private. Although it is true that the SCA does not protect information that is publicly available, that does not mean that the SCA protects all private electronic communications."