

HOTLINE LAWYERS



Robert A. Bertsche started working as a daily newspaper reporter as a teenager. Though he later went to law school, he has yet to get the ink out of his veins. Recognized annually since 2005 as one of the "Best Lawyers in America" for media and First Amendment work, he combines a passionate commitment to the First Amendment with a pragmatic, solution-oriented approach to serving his clients' editorial, business, employment law, and litigation needs.

Rob represents the gamut of media entities large and small: daily and weekly newspapers, magazines, book publishers, broadcasters, website operators, bloggers, cable television providers, and advertising agencies. He has developed particular expertise in social media issues.

The founding chair of Prince Lobel's Media and Intellectual Property Group, Rob serves as outside general counsel to the New England Newspaper & Press Association. He is also on the Executive Committee of the New England First Amendment Coalition. Rob worked as a reporter, then editor, for the *Transcript-Telegram* in Holyoke, Mass., and later joined the founding staff of *New England Monthly* magazine. He is admitted to practice in Massachusetts, New Hampshire, New York, and Pennsylvania. (Wesleyan University, B.A., 1980; Harvard Law School, J.D., 1989.)

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Peter J. Caruso II leads the firm's Advertising and Promotions industry group. He specializes in the representation of traditional and online media entities, advertising agencies, and marketing organizations. He has consulted artists and media publications in the areas of copyright, trademark, and fair use; conducted prepublication and pre-broadcast reviews for newspapers and radio stations; and defended artists, galleries, museums, media outlets, and

individuals in defamation cases. Peter teaches a masters-level course called "Legal Issues in Arts Administration" at Boston University. (Colby College, B.A., 1993; Suffolk University Law School, J.D., 1996.)

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Jeffrey J. Pyle, a trial attorney, specializes in First Amendment and media law. He has represented clients in state and federal court in a wide variety of cases advancing civil liberties, press access, and student speech rights. He regularly defends libel claims and litigates general commercial disputes. Jeff also provides prepublication review services to media companies, advising them on how to avoid liability for such claims as defamation, invasion of privacy, and copyright infringement.

Jeff frequently teaches and writes about issues involving media law, constitutional law, and First Amendment rights. He serves as a cooperating attorney with the American Civil Liberties Union of Massachusetts, which has honored him with its David Burres Civil Liberties Award. He is also a member of the board of directors of Massachusetts Citizens Against the Death Penalty, and treasurer of the Petra Foundation, a charity that recognizes and supports

unsung heroes of community service and social activism. (Trinity College, B.A., 1997; Boston College Law School, J.D., 2000.)

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Kathryn D. Stone is an intellectual property and media lawyer with a special concentration in state, federal, and global data privacy law. She also represents clients in advertising, marketing, digital and social media matters, and sports and entertainment law.

Before joining Prince Lobel, Katie worked at Nelson Mullins Riley & Scarborough LLP as well as Cetrulo & Capone LLP.

Katie had experience in the fields of communications/media and government prior to law school. She worked for several years in both the Gov. Mitt Romney and Gov. Deval Patrick administrations. She later served as legislative director and media spokesperson for the Department of Housing and Community Development. She then became the Department's Deputy Chief of Staff. (Boston College, B.A., 2002; Suffolk University Law School, J.D., 2010.)

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HOTLINE ADMINISTRATOR



Samantha Allen, administrator of the NENPA Media Law Hotline, worked for more than six years in both Massachusetts and New Hampshire as a journalist. Before joining Prince Lobel, she served as the crime reporter for the Worcester Telegram & Gazette.

Her successful public record battles over the years included challenges to the Worcester, Mass. Police Department in 2016 for surveillance video shot moments before a man was struck with a Taser; the victim died hours later.

While working at the Lowell Sun, she uncovered the checkered driving history of a Westford, Mass. police officer involved in a fatal crash which killed a civilian. That story, along with a series that revealed a \$25,000 secret payout to the town's retiring fire chief, was recognized in 2014 with NENPA's first place Right to Know award to the Lowell paper. (Ithaca College, B.A. in journalism with a politics concentration, 2010.)

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Media Law Hotline



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Ever wish you had a free lawyer on your paper's staff?

NENPA Media Law Hotline

Prompt, free legal advice is only an email or phone call away, thanks to the New England Newspaper & Press Association's members-only Media Law Hotline.

Staffed by media law attorneys from the law firm of Prince Lobel Tye LLP, the Hotline provides NENPA members with a reliable and quick source of expert advice on legal issues in many areas of law affecting newspapers and their online sites. NENPA members are entitled to use this free service as a benefit of membership.

Prince Lobel attorneys at the NENPA Media Law Hotline are standing by to help your reporters obtain hard-to-get public records and gain admittance to closed-door government meetings. We'll provide your newspaper and website with legal vetting (prepublication review) of up to four articles of any length per month. We'll also help to answer your general questions on such business and First Amendment law issues as:

- Access to government meetings, court proceedings, and public records
- Obtaining daily logs and police reports
- Drafting public records requests and appealing denials
- Native advertising and FTC endorsement rules
- Use of celebrity images and the right of publicity
- Handling reader comments and liability for reader contributions (online and off)
- Cameras and blogging in the courtroom;
- Online video and webcasting
- Newsgathering, trespass, and invasion of privacy
- Hidden cameras and tape recording
- Secret dockets, sealing and impoundment orders, expungement, and HIPAA
- Trademark and domain name issues
- Copyright infringement and fair use
- Defamation (libel) liability and fair report defenses
- Confidential sources, subpoenas, and the reporter's privilege
- Responding to take-down notices
- Social media platforms and policies, including mobile apps
- Privacy policies and terms of use
- Sweepstakes, contests, and promotions
- Banner and display advertising, and public notices
- Circulation, distribution, and postal issues;
- Insurance coverage
- Employment law and employer-employee relations
- Independent contractor issues and unemployment claims

The NENPA Media Law Hotline is offered at no cost to NENPA members. Department heads or other authorized employees of any NENPA member in good standing may use the NENPA Media Law Hotline.

Discounted Training Sessions

NENPA members are also entitled to media risks seminars on the law affecting newspapers and their reporters, as well as on employment law issues including harassment prevention. Media law attorneys at Prince Lobel offer these seminars to your staff, in your newsroom, for a surprisingly affordable flat fee.

ABOUT PRINCE LOBEL

Prince Lobel is a full-service law firm with an in-depth understanding of the media industry. We are large enough to offer our media clients the range of business and litigation services they need, yet small enough to be flexible, cost-effective, and accessible. Counselor and advocate, we work with our clients to achieve their optimal business solutions. We have advised newspapers and Internet publishers in all of our fields of expertise, including:

- Litigation
- Trademark, copyright, and patent
- Employment
- Corporate and transactional
- Real estate
- Tax
- Insurance coverage and claims
- Business succession and estate planning
- Domestic relations
- Estate planning

ABOUT THE NEW ENGLAND NEWSPAPER & PRESS ASSOCIATION

The New England Newspaper & Press Association is the professional trade organization for newspapers in the six New England states: Massachusetts, Connecticut, New Hampshire, Vermont, Maine, and Rhode Island. NENPA is proud to represent and serve more than 450 daily, weekly, and specialty newspapers throughout the six-state region. NENPA is the principal advocate for newspapers in our region, helping them to successfully fulfill their mission to engage and inform the public while navigating and ultimately thriving in today's evolving media landscape.

ABOUT THE HOTLINE

The Hotline is administered and subsidized jointly by NENPA and Prince Lobel Tye LLP. The attorney-client relationship is between the newspaper and Prince Lobel. NENPA has no liability for the legal advice given. Using the NENPA Media Law Hotline signifies acceptance of the terms of use below.

TERMS OF USE

1. If your inquiry is in the areas and scope covered by the Hotline and requires no more than two hours of lawyer time, you will not be billed for the service; the legal fee will be covered by NENPA.
2. Questions that require significant research or investigation (more than two hours work), or that involve other substantive areas of law (such as tax, real estate, etc.) – as well as inquiries in excess of the four-per-month cap – are not covered by the Hotline but may be made the subject of a separate engagement of Prince Lobel Tye LLP at specially reduced fees for NENPA members. If and when it becomes apparent that your inquiry will require additional time or legal resources, you will be so advised and, if appropriate, given the option of engaging Prince Lobel Tye LLP directly to handle your case. In such case, you will be directly responsible for the fee, and NENPA will bear no responsibility.
3. Prince Lobel Tye LLP provides NENPA with periodic reports on the number of Hotline calls received, the states from which they are received, and the general nature of such calls, but will not share with NENPA information about which NENPA members use the Hotline or the specific issues discussed, unless specific permission is given.
4. Legal advice will not be provided for disputes between NENPA members, or in matters that would create a professional conflict of interest for Prince Lobel Tye LLP. In case of conflict of interest, NENPA member newspapers will be given the names of other lawyers who may be available to respond to the inquiry. However, all fee arrangements in such cases will be between the newspaper and the lawyer, and neither NENPA nor Prince Lobel Tye LLP will bear any responsibility for fees.