

C. AMANDA MARTIN
Duke University School of Law
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ACADEMIC APPOINTMENTS

Duke University School of Law
Clinical Professor of Law
Senior Lecturing Fellow/Supervising Attorney

Durham, NC
July 2023 to present
July 2022 to 2023

ADDITIONAL TEACHING EXPERIENCE

Duke University School of Law
Senior Lecturing Fellow, First Amendment Clinic – Fall 2021

University of North Carolina School of Journalism and Mass Communication
Lecturer, Media Law – 2001, 2002, 2017, 2018, 2019, 2020, 2021

Campbell University, Norman Adrian Wiggins School of Law
Adjunct Faculty, Media Law – 2012, 2013, 2014, 2016, 2017

University Of North Carolina School of Law
Adjunct Faculty, Media Law – Spring 2007
Adjunct Lecturer, Research, Reasoning, Writing and Advocacy – 1996 and 1995

PRIVATE PRACTICE

Stevens Martin Vaughn & Tadych, PLLC
Raleigh, NC

Founding Partner 2010 to 2022; Of Counsel July 1, 2022, to April 1, 2024

Concentration on First Amendment issues including litigation of libel, privacy, reporters' privilege, open government, courtroom/court records access, and internet issues; prepublication counsel to newspapers and television stations on access issues and liability avoidance

- General Counsel to N.C. Press Association, N.C. Press Services and N.C. Press Foundation

Larson on Employment Discrimination

- Contributor, 2021 to present – research, writing and editing updates to treatise

Everett, Gaskins, Hancock & Stevens, LLP
Raleigh, NC

Partner August 2000 – August 2010

Of Counsel 1999 – July 2000

Associate 1995 – 1998

Concentration on First Amendment and access litigation

The Law Firm of John A. Bussian, P.A.

Durham, NC

Associate: 1994 - 1995

Concentration on First Amendment and access litigation

Dow, Lohnes & Albertson

Atlanta, GA

Associate: 1992 - 1994

Concentration on First Amendment and access litigation

EDUCATION

University of North Carolina School of Law

J.D. with Honors

North Carolina Law Review Staff and Senior Staff

University of Florida

B.S. in Journalism, minors in English and business

National Merit Scholar

Omicron Delta Kappa

Mortar Board

PROFESSIONAL AND CIVIC MEMBERSHIPS, ACTIVITIES AND AWARDS

Bar Admissions: Georgia 1992, North Carolina 1994

AV Rated by Martindale-Hubbell since 2002

The Best Lawyers in America (First Amendment law) since 2005

North Carolina Open Government Coalition – Board of Directors 2020 to present

UNC Center for Media Law and Policy, Advisory Board – 2008 to present

North Carolina Press Association William Lassiter First Amendment Award (2017)

American Bar Association – Member Litigation Section and Communications Law Forum

North Carolina Bar Association – member since 1995

Former chair, vice chair, secretary and treasurer Constitutional Rights and Responsibilities Section
Council

Former chair and treasurer, Litigation Section Council

Wake County Bar Association

Member and former director

N.C. Secretary of State's Advisory Council on Legislative Lobbying Policy and Regulation, 2004

North Carolina Chief Justice's Media and the Courts Forum, 2000-2002

Raleigh Chamber of Commerce Leadership Raleigh, 2000-2001

St. Michael's Episcopal Church, member

PUBLICATIONS

Author, *For Public Officials, Social Media Is Public Media*, North Carolina Law Review Forum
(forthcoming in October 2024)

Author, *Current Developments in Media Libel Law*, North Carolina survey, Media Law Resource Center
(2023, 2024)

Co-author, N.C. Media Law Handbook, *Guide to Political Advertising in North Carolina* (6th ed. 2022)

Co-author, N.C. Media Law Handbook, *Access to Government Meetings* (6th ed. 2022)

Author, *Fair Report 50-State Survey, North Carolina survey*, Media Law Resource Center (2014-2020)

Frequent columnist for North Carolina Press Association, collected columns at www.ncpress.com/
<http://ncpress.com/legal>

Co-author, *The Open Government Guide: North Carolina*, Reporters Committee for Freedom of the Press, 1996-present

Co-author, *Media Privacy and Related Law*, Fourth Circuit Survey, Media Law Resource Center (2014-2020)

Co-editor, N.C. Media Law Handbook, (Cathy Packer, Hugh Stevens and C. Amanda Martin, eds., 5th ed. 2012); co-author chapter on Public Records

Co-editor, N.C. Media Law Handbook, (Cathy Packer, Hugh Stevens and C. Amanda Martin, eds., 4th ed. 2007); co-author chapter on Access to Government Meetings

Co-editor, N.C. Media Law Handbook, (Cathy Packer, Hugh Stevens and C. Amanda Martin, eds., 3d ed. 2001); co-author chapters on Access to Government Meetings, Invasion of Privacy, and Infliction of Emotional Distress

A Primer on Election Coverage and Commercials, LDRC LibelLetter, August 21, 2000

The Road to a Shield Law in North Carolina, LDRC LibelLetter, August 20, 1999

Co-author, Libel in Cyberspace: A Framework for Addressing Liability and Jurisdictional Issues in this New Frontier, 59 Albany L. Rev. 1083 (1996)

Author, Sifting through the Fallout of North Carolina Death Penalty Jurisprudence: Getting Down to the Real McKoy, 69 N.C.L. Rev. 1504 (1991).

PRESENTATIONS

UNC Festival of Legal Learning: frequent faculty, including

State of the News Media

Chatty Banter or a Plaintiff Lawyer's Playground? Navigating the Murky World of Online Reviews

Helping Clients Navigate Today's Social Media World

Public Records Law: Balancing Accountability and Privacy

Drafting Website Terms and Statements

Social Media, Blogging and the News

First Amendment Roundup

The "Press" and the First Amendment: Recent Developments

Modern Misinformation and the Law, NC Bar Association (CLE faculty, May 2021)

Fudging the Truth, Wake County Bar Association (CLE faculty, March 2021)

COVID-19 v. The Constitution: The New Normal?, NC Bar Association (CLE faculty, December 2020)

Law Enforcement Agency Recordings, North Carolina Open Government Coalition (March 2019)

Where You Stand is Where You Sit: The Multifaceted View of the Public Records Act, NC Bar Association (CLE faculty, November 2018)

e-Health: The Internet, a Really Scary Place for Medical Practices, NC Medical Society Annual Meeting, (September 2017)

From Stained Glass to Screen Apps: Communicating with Parish Communities, Episcopal Communicators (May 2017)

Know Your Social Media Legal Rights, North American Travel Journalists Association (May 2017)

Does the First Amendment Still Matter?, UNC Constitution Day Address, (September 2015)

Public or Protected: Copyright Law and Compliance, NC Chapter Public Relations Society of America (September 2015)

Student Journalists Want Better Access to UNC Athletes. What's the Problem?, UNC First Amendment Day (September 2015)

Getting the Info You Need Protecting the Info You Create, National Association of Science Writers Annual Conference (October 2014)

Online Communication, Social Media and the Law, ScienceOnline Annual Conference (February 2014)

State Open Records Laws and Libraries: Can We Value Openness and Privacy at the Same Time? American Association of Law Librarians Annual Conference (July 2013)

Online Community Building and Managing: What are the Legal and Editorial Concerns You Need to Know? Media Law in the Digital Age Conference, Harvard University Berkman Center and Kennesaw State Center for Sustainable Journalism (Faculty, October 2011)

Libel Law: Minimizing the Risks of Publishing Online, Media Law in the Digital Age Conference, Harvard University Berkman Center and Kennesaw State Center for Sustainable Journalism (Faculty, October 2011)

ABA Training & Development Media Advocacy Workshop (Faculty, January 2005)

Gathering News Legally: Exploring Libel, Privacy and Other Legal Questions Involved in Newsgathering in North Carolina, Faculty and Conference Planner, UNC School of Journalism and Mass Communication Executive Education (2001)

Cyberlaw in the 21st Century: Intellectual Property in an Online World, Thomas M. Cooley School of Law (Presenter, 2000)

Government vs. the Media: Exploring Both Sides of Access and Privilege Conflicts in North Carolina, Faculty and Conference Planner, UNC School of Journalism and Mass Communication Executive Education (2000)

No Access? The Future of Crime Reporting, Criminal Justice Journalists Annual Meeting (1999)

Fair Housing and Employment Advertising, Conference of Southeastern Classified Advertising Managers Association (Presenter, February 1997)

Overview of the Federal and North Carolina Laws Regarding Legislative and Political Activities, NC Bar Foundation (Co-author and presenter, January 1997)

Nonprofit Corporation Legal Update, Overview of the Federal and North Carolina Laws Regarding Legislative and Political Activities, NC Bar Association (1997)

REPRESENTATIVE CASES

Dunham v. Whitaker, 20-CVS-6454, Guilford County, North Carolina (Feb. 10, 2022) (successful public records lawsuit, including award of \$68,971 in attorney fees)

News & Record et al. v. Jody Greene, Columbus County Sheriff, Case No. 20 CVS 1147, Columbus County, North Carolina (Mar. 2, 2021) (successful public records lawsuit, including award of \$31,237 in attorney fees)

Green Line Media. Et al. v. The City of Asheville, Case No. 21 CV 01278, Buncombe County, North Carolina (Feb. 19, 2021) (successful open meetings lawsuit, including award of \$3,975.00 in attorney fees)

Harr v. Wral-5 News, 2021 U.S. Dist. LEXIS 7343 (E.D.N.C. Jan. 14, 2021) (successful defense of WRAL in libel suit)

Harr v. WRAL-5 News, 265 N.C. App. 693 (2019) (successful defense of WRAL in libel suit)

Gabler v. Guskiewicz, et al., 18 CVS 1622, Orange County (August 19, 2019) (successful public records lawsuit by *New York Times* reporter Ellen Gabler, including payment of \$27,000 in attorney fees)

Casper v. Carteret Cty. News-Times, 2019 U.S. Dist. LEXIS 104189 (M.D.N.C. June 21, 2019) (successful defense of *News-Times* in libel suit)

Snow v. Berkshire Hathaway, Inc., 2019 U.S. Dist. LEXIS 70636 (M.D.N.C. Apr. 25, 2019) (successful defense of *Greensboro News & Record* in libel suit)

In re Murphy-Brown, LLC, 907 F.3d 788 (4th Cir. 2018) (amicus brief supporting successful challenge to gag order based on First Amendment)

Livingston v. Kehagias, 2018 U.S. Dist. LEXIS 39545 (E.D.N.C. Mar. 9, 2018) (successful motion to quash subpoena issued to *News & Observer* reporter)

McCollum v. Town of Red Springs, 2017 U.S. Dist. LEXIS 68848 (E.D.N.C. May 5, 2017) (successful intervention and opposition to sealing of court records and proceedings)

Norton v. City of Whiteville, 2016 U.S. Dist. LEXIS 168845 (E.D.N.C. Dec. 6, 2016) (successful defense of *Whiteville News-Reporter* in libel suit)

U.S. Tobacco Cooperative Inc. et al v. Big South Wholesale of Virginia, LLC et al., Case No. 5:13-CV-00527-F, (E.D.N.C. Sept. 1, 2016) (successful Motion to Intervene on behalf of *New York Times* reporter Matthew Apuzzo to oppose sealing orders)

Johnson v. City of Raleigh, 2013 U.S. Dist. LEXIS 93947 (E.D.N.C. Mar. 29, 2013) (successful defense of WRAL and NBC-17 in libel suit)

News & Observer et al. v. Baddour, 10 CVS 1941, Orange County, North Carolina (Aug. 9, 2012) (successful public records lawsuit to obtain records from the athletic department at UNC and settlement including payment of \$45,000 in attorney fees)

In re Baker Investigation, 220 N.C. App. 108 (2012) (successful action on behalf of media coalition to unseal search warrants)

Dalenko v. News & Observer Pub. Co., 447 F. App'x 490 (4th Cir. 2011) (successful defense of *News & Observer* in libel suit)

Janis v. Wefald, 2011 Bankr. LEXIS 4600 (Bankr. E.D.N.C. Oct. 12, 2011) (successful representation of plaintiff in libel suit securing award of \$650,000 in damages)

Johnson v. North Carolina, 2010 U.S. Dist. LEXIS 83652 (E.D.N.C. Aug. 12, 2010) (successful defense of WRAL, News 14 Raleigh, NBC 17, *The News and Observer* in libel suit)

Wright v. Bunn et al, Case No. 5:08-CT-3048-FL (E.D.N.C. Mar. 18, 2010) (successful defense of *Bladen Journal* General Manager and reporter in of libel suit)

USA vs. Demario James Atwater, Case No. 1:08CR384-1 (M.D.N.C. Mar. 10, 2010) (successful motion to quash subpoenas issued to multiple media outlets in murder case)

Gilbert v. New Line Prods., 2009 U.S. Dist. LEXIS 140049 (E.D.N.C. Mar. 31, 2009) (successful defense of Film Independent, Inc. in copyright infringement case)

News Reporter Co., Inc. v. Columbus County, 184 N.C. App. 512 (2007) (partially successful public records lawsuit seeking records related to county medical director)

State v. Spivey, 05 CRS 9395, Cabarrus County, North Carolina (July 24, 2006) (successful motion to quash subpoena issued to *Salisbury Post* reporter who interviewed criminal defendant)

United States v. Passaro, No. 5:04-CR-211-BO (E.D.N.C. April 5, 2005) (successful intervention and motion for access on behalf of *The Washington Post*, the Associated Press and *The News & Observer* seeking portions of the record that had been declassified by the DOJ)

Broughton v. McClatchy Newspapers, Inc., 161 N.C. App. 20 (2003) (successful defense of *News & Observer* in libel case)

State v. Peterson, Case No. 01-CRS-24821, Durham County, represented multiple media in

successful motion to quash subpoenas
successful opposition to seal *voir dire*
successful opposition to seal courtroom during testimony of male escort witness
successful assertion of media right of access to jury view of crime scene

Bandele v. Lee, et al., Case No. 5:01-cv-00327-BO (E.D.N.C. June 13, 2002) (successful defense of Shelton J. Spike Lee in copyright infringement action)

Higgins v. Young, 2001 WL 1692379, 29 Media L. Rep. 2528 (N.C. Super. Aug. 8, 2001) (successful motion to quash subpoena)

In re News and Observer Publishing Company, Case No. COAPOO-845 (N.C. App. Jan. 19, 2000) (successful Petition for Writ of Mandamus on behalf of *News & Observer* to vacate sealing order)

News and Observer Pub. Co., Inc. v. Coble, 349 N.C. 350 (1998) (successful appeal on behalf of *News & Observer* reversing trial court's dismissal of open meetings lawsuit)

Merrill v. McClatchy Newspapers, Inc., 1998 U.S. Dist. LEXIS 20972 (W.D.N.C. Dec. 18, 1998) (successful defense of *News & Observer* in libel suit)

DTH Pub. Corp. v. University of North Carolina at Chapel Hill, 128 N.C. App. 534 (1998) (partially successful open meetings lawsuit finding student honor court to be public agency under Open Meetings Law)

H.B.S. Contractors, Inc. v. Cumberland County Bd. of Educ., 345 N.C. 178 (1996) (amicus brief in open meetings litigation)

In re Subpoena of Laura Hart McKinney, Case No. 95M18, Forsyth County Superior Court, 1995 (successful opposition to court closure during McKinney testimony related to O.J. Simpson prosecution)