

AGNIESZKA ANNA MCPEAK

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ACADEMIC EXPERIENCE

UNIVERSITY OF TOLEDO COLLEGE OF LAW
Associate Professor
Assistant Professor
Toledo, Ohio
July 2017-present
August 2014-June 2017

Courses Taught: Torts, Legal Ethics, Social Media Discovery, and Privacy & Data Security.

Service: Member, University of Toledo Pan-Collegiate Task Force on Cybersecurity.
Member, Academic Policy Committee.
Member, Admissions Committee.
Member, Admissions Subcommittee on Character & Fitness.
Coach, Moot Court Team on Products Liability.
Online Teaching Certificate, UT Online (anticipated October 2017)
Program Liaison, School of US Law, University of Silesia, Katowice, Poland.

UNIVERSITY OF SILESIA FACULTY OF LAW AND ADMINISTRATION
Participating Faculty for School of U.S. Law and
Programme for European Private Law for Post-Graduates
Katowice, Poland
January 2015-present

Courses Taught: U.S. Legal Ethics (July 2017) and Privacy & Data Security (January 2018).
U.S. Perspectives on The Right to be Forgotten (lecture for Programme for European Private Law for Post-Graduates) (January 2015).

LOYOLA UNIVERSITY NEW ORLEANS COLLEGE OF LAW
Westerfield Fellow
New Orleans, Louisiana
August 2012-June 2014

Courses Taught: Social Media Evidence Seminar, Legal Research & Writing, and Moot Court.
Faculty for skills course hosted by Office of Continuing Legal Education (Social Media Bootcamp and Social Media 101: Ethics & Professionalism).

TULANE UNIVERSITY LAW SCHOOL
Intersession Adjunct Faculty
New Orleans, Louisiana
January 2012, January 2013

Courses Taught: Pretrial Civil Litigation Bootcamp (faculty for small-group workshop, moderator for panel presentation, and course lecturer on written discovery).

ADDITIONAL TEACHING INTERESTS

Civil Procedure, Evidence, Privacy Law, Cyberlaw, Products Liability, and Insurance Law.

SCHOLARLY PUBLICATIONS AND WORKS IN PROGRESS (with SSRN links)

Rethinking Platform Immunity under Section 230 of the Communication Decency Act (work in progress).

Disappearing Data, __ WIS. L. REV. __ (forthcoming 2018).

Self-Destruct Apps: Spoliation by Design?, __ U. AKRON L. REV. __ (forthcoming 2018) (invited piece for Civil Discovery Symposium).

[*Regulating Ridesharing Platforms through Tort Law*](#), 39 U. HAWAII L. REV. 357 (2017) (invited piece for Sharing Economy Symposium).

[*Social Data Discovery and Proportional Privacy*](#), 65.1 CLEVELAND STATE L. REV. 59 (2017) (invited piece for Big Data Regulation Symposium).

[*Sharing Tort Liability in the New Sharing Economy*](#), 49 CONN. L. REV. 171 (2016) (cited in *Gil v. Clara Maass Medical Center*, _ A.3d _; 2017 WL 2625964 (N.J. Ct. App. 2017) (Ostrer, J.A.D., concurring)).

[*Social Media, Smartphones, and Proportional Privacy in Civil Discovery*](#), 64 U. KAN. L. REV. 235 (2015) (quoted in *Carlson v. Jerousek*, 68 N.E.3d 520, 532 (Ill. Ct. App. 2016)).

[*Social Media Snooping and its Ethical Bounds*](#), 46 ARIZ. ST. L.J. 845 (2014) (reprinted in Volume 64 of *Defense Law Journal* (2015)).

[*Avoiding Misrepresentation in Informal Discovery of Social Media Data*](#), 17 SMU SCI. & TECH. L. REV. 581 (2014) (invited piece for Social Media Law Symposium).

[*The Facebook Digital Footprint: Paving Fair and Consistent Pathways to Civil Discovery of Social Media Data*](#), 48 WAKE FOREST L. REV. 887 (2013).

EDUCATION

TULANE UNIVERSITY LAW SCHOOL
Juris Doctor, *magna cum laude*

New Orleans, Louisiana
May 2007

Awards: McSherry Award for greatest dedication to Law School community service.
Federal Bar Association Award for greatest distinction in the study of federal law.
Tulane Moot Court Intraschool 2006-2007 Senior ADR Competition Winner.

Activities: *Tulane Journal of International and Comparative Law*, Managing Editor.
Moot Court Board, Administrative Justice of Academic Affairs.
Senior Fellow, Legal Research & Writing.

UNIVERSITY OF CALIFORNIA, SANTA CRUZ
Bachelor of Arts in Literature and in History, with Honors

Santa Cruz, California
June 2001

Awards: Honors in both majors.
Porter College Honors, awarded for overall outstanding academic achievement.

Activities: Institute of Polish Language and Culture, Jagiellonian University, Krakow, Poland.

ACADEMIC PRESENTATIONS

Presenter, “Disappearing Data,” Junior Faculty Works-in-Progress Conference, Chapman School of Law, Orange, CA, September 22-23, 2017.

Presenter, “Disappearing Data,” Junior #FutureLaw Workshop, Duquesne University School of Law, Pittsburgh, PA, September 8, 2017.

Presenter, “Disappearing Data,” Ohio State Summer Workshop Series, Ohio State University Moritz College of Law, Columbus, OH, August 2, 2017.

Presenter, “Disappearing Data,” Ohio Legal Scholarship Workshop, University of Toledo College of Law, Toledo, OH, June 16, 2017.

Presenter, “Rethinking Platform Immunity,” Developing Ideas Conference, University of Kentucky College of Law, Lexington, KY, May 17, 2017.

Presenter, “Social Media Presence: Put Your Best Digital Foot Forward,” Midwest Graduate Research Symposium, University of Toledo, Toledo OH, March 25, 2017.

Presenter, Transportation Panel, Sharing Economy Symposium, University of Hawaii Richardson School of Law, February 17, 2017.

Presenter, “Social Media Spoliation,” Toledo Law Faculty Roundtable, Toledo, OH, January 21, 2017.

Presenter, “Privacy Law,” Wilkin Chair Speaker Series, University of Findlay, Findlay, OH, October 19, 2016.

Guest Lecturer, “Social Media Discovery,” Electronic Discovery course, University of Toledo Paralegal Studies Department, Toledo, OH, October 18, 2016.

Moderator, Panel on Ethics, Compliance Regulation Symposium, Toledo Law Review, Toledo, OH, October 7, 2016.

Presenter, “Social Media Spoliation,” Fourth Annual Junior Scholars Works-in-Progress Conference, Marquette University Law School, September 9-10, 2016.

Organizer and Presenter, “Social Media Spoliation,” Fourth Annual Junior Scholars Virtual Symposium, Toledo, OH, August 12, 2016.

Presenter, “Sharing Tort Liability in the New Sharing Economy,” Law and Society Association Annual Meeting, New Orleans, LA, June 4, 2016.

Presenter, “Proportional Privacy in Civil Discovery of Social Data,” Cleveland State Law Review Symposium on Regulation of Big Data, Cleveland, OH, April 8, 2016.

Presenter, “Civil Discovery of Social Media Content,” The Henry L. Hartman Symposium on Law, Psychiatry, and Behavioral Science, Toledo, OH, October 30, 2015.

Presenter, “Sharing Liability in the New Sharing Economy,” Faculty Workshop Series, University of Akron School of Law, Akron, OH, October 19, 2015.

Presenter, “Sharing Liability in the New Sharing Economy,” Central States Law School Association Conference, Toledo, OH, October 8, 2015.

Presenter, “Sharing Liability in the New Sharing Economy,” Fall Faculty Workshop, University of Toledo College of Law, October 6, 2015.

Presenter, “Social Media, Smartphones, and Proportional Privacy in Civil Discovery,” 43rd TPRC Research Conference on Communications, Information, and Internet Policy, Arlington, VA, September 26, 2015.

Presenter, “Sharing Liability in the New Sharing Economy,” Junior Scholars Virtual Colloquium, University of Louisville Brandeis School of Law, July 22, 2015.

Presenter, “Sharing Liability in the New Sharing Economy,” Developing Ideas Conference, University of Kentucky College of Law, May 20, 2015.

Presenter, “Social Media, Smartphones, and Proportional Privacy in Civil Discovery,” Faculty Colloquium, University of Dayton School of Law, March 5, 2015.

Presenter, “Social Media, Smartphones, and Proportional Privacy in Civil Discovery,” Spring Faculty Workshop, University of Toledo College of Law, March 4, 2015.

Presenter, “Ethical Issues with Lawyers’ Use of Social Media,” SMU Dedman School of Law Social Media Law Symposium, October 17, 2014.

Presenter, “Social Media Snooping: The Ethics of Informal e-Discovery in Civil Litigation,” Tulane Faculty Workshop, New Orleans, LA, August 7, 2013.

Presenter, “The Facebook Digital Footprint: Paving Fair and Consistent Pathways to Civil Discovery of Social Media Data,” Loyola Faculty Works-in-Progress Workshop, New Orleans, LA, February 28, 2013.

OTHER PRESENTATIONS

(Forthcoming) Presenter, “Social Media Trends and Challenges,” Kiroff Bench-Bar Conference, Toledo, OH, October 27, 2017.

Presenter, Debate on Revised ABA Model Rule of Professional Responsibility 8.4, Toledo, OH, October 11, 2017.

Featured speaker, Naturalization Ceremony, Toledo, OH, September 18, 2017.

Presenter, Ethics of Class Actions, DRI Strictly Auto Seminar, Troy, MI, September 15, 2017.

Presenter, Social Media Ethics, Guardian Ad Litem CLE, Lucas Court of Common Pleas, Toledo, OH, August 4, 2017.

Presenter, Discussion on Social Media Hot Topics, Toledo Bar Association Court of Appeals Committee, Toledo, OH, May 10, 2017.

Presenter, “Social Media Safety,” Longfellow Elementary School, Toledo, OH, March 21, 2017.

Presenter, LSAT Prep Course, Toledo College of Law Admissions Event, Toledo, OH, January 20, 2017.

Presenter, Social Media Evidence CLE, National Business Institute, Toledo, OH, December 15, 2016.

Presenter, “Social Media Discovery,” Toledo Bar Association, Toledo, OH, November 4, 2016.

Presenter, “Social Media in Litigation,” Lucas County Bar Association, Toledo, OH, October 17, 2016.

Presenter, 2016 Annual Professionalism Seminar, “Debbie Downer Reconstructed 2.0,” Toledo Bar Association, Toledo, OH, October 14, 2016.

Speaker, “Social Media Ethics,” Meeting of the Northwest Chapter of the Public Relations Society of America, Toledo, OH, September 16, 2016.

Presenter, “Social Media & Attorney Ethics,” Ohio Northern Pettit College of Law CLE, Ada, OH, April 15, 2016.

Presenter, “Professionalism in the Criminal Practice,” Toledo Bar Association Annual Appointed Counsel Criminal Practice Seminar, Toledo, OH, December 18, 2015.

Presenter, “Social Media Bootcamp for Lawyers: Ethics, Professionalism, and Ways to Effectively Use Social Media Evidence in Civil Litigation,” Toledo Bar Association CLE, Toledo, OH, December 11, 2015.

Presenter, "Using Formal Discovery to Obtain Private Social Media Content," Tulane CLE By the Hour, New Orleans, LA, December 31, 2013.

Co-Presenter, "Top Social Media Ethics Tips for Lawyers," New Orleans Bar Association, New Orleans, LA, December 30, 2013.

Co-Presenter, "Social Media Ethics," Louisiana Association of Defense Counsel Presentation, New Orleans, LA, December 5, 2013.

Presenter, "Your Cheatin' Heart: How Attorneys Maintain Ethics & Professionalism when Using Social Media," Transportation Lawyers Association Conference, Nashville, TN, November 9, 2012.

Presenter, "Family Law and the Internet's New Frontier: How to Ethically Gather and Effectively Use Social Media Evidence," Covington Bar Association Annual Family Law CLE, Covington, LA, April 13, 2012.

Panelist and moderator, "Maps to the Social Media Minefield: Brand Protection, Marketing, Litigation Policies, and Legal Ethics Tips to Avoid Explosive Missteps," American Bar Association Business Law Section Spring Meeting, Las Vegas, NV, March 22, 2012.

Presenter, "Professionalism in the Age of Social Media: How to Avoid Blog Blunders, Twitter Troubles, and Facebook Faux Pas," New Orleans Bar Association Procrastinator's Program, New Orleans, LA, December 29, 2011 and January 31, 2012.

Presenter, "Litigation in the Age of Social Media: Discovery of Online Content," Loyola Annual Family Law CLE, New Orleans, LA, December 9, 2011.

Presenter, "Professionalism in the Age of Social Media," Association of Women Attorneys, New Orleans Chapter, Annual Ethics and Professionalism CLE, New Orleans, LA, September 22, 2011.

Presenter, "60 Apps in 60 Minutes," New Orleans Bar Association Wednesdays at the Bar Series, New Orleans, LA, June 15, 2011.

Panelist and moderator, "The Use of Social Media, Computing in the Cloud, and Other Emerging Technological Issues," New Orleans Bar Association Procrastinator's Program, New Orleans, LA, December 30, 2010.

Presenter, "Internet Research in Litigation: How Lawyers Use Social Media to Win Cases," Tulane CLE By the Hour, New Orleans, LA, December 29, 2010.

Panelist and moderator, "Technology for Your Practice: 60 Apps in 60 Minutes," New Orleans Bar Association Procrastinator's Program, New Orleans, LA, December 22, 2010.

Presenter, "Using Internet Research for Litigation," New Orleans Bar Association Litigation Lessons for Lawyers Series, New Orleans, LA, October 14, 2010.

MEDIA APPEARANCES

Quoted, Zack Lemon, *People from 37 Countries Become U.S. Citizens*, TOLEDO BLADE (Sept. 18, 2017).

On-camera interview, 85 Citizens Naturalized at UT on Constitution Day, WTOL 11 Toledo (Sept. 18, 2017).

Quoted, Sam Reisman, *How to Avoid e-Discovery Challenges Posted by New Tech*, LAW360 (July 17, 2017).

Live on-camera interview, Apps Concerned Parents Should Have in their Back Pockets, WTOL 11 Toledo (July 6, 2017).

On-camera interview, Protecting Kids from Predators on Musical.ly: What Every Parent Needs to Know, ABC13 Toledo (July 5, 2017).

On-camera interview, The Rise of Violence on Social Media, NBC24 Toledo (Apr. 17, 2017).

On-camera interview, Hackers Cracking the Code on More than just your Computer, NBC24 Toledo (Nov. 4, 2016).

On-camera interview, Choking Challenge: What Parents Need to Know, ABC13 Toledo (Sept. 14, 2016).

OTHER PROFESSIONAL EXPERIENCE

STONE PIGMAN WALTHER WITTMANN L.L.C.

New Orleans, Louisiana

Litigation Associate

June 2007-June 2012

Represented clients in complex commercial litigation matters during all phases of litigation in both federal and state court, including mass tort, legal malpractice, trademark, and insurance disputes.

COHEN, MILSTEIN, HAUSFELD & TOLL

Washington, D.C.

Law Clerk

September-December 2005

Drafted memoranda for plaintiff class action lawsuits in the pretrial, trial, and appellate phases. Researched topics such as legal ethics, complex procedural issues, and international human rights.

SYBEX COMPUTER BOOKS

Alameda, California

International Rights and Sales Specialist

August 2001-July 2004

Negotiated international translation rights for over twenty language territories and authored translation, distribution, and reprint agreements. Monitored translation activity and royalty revenue, coordinated English-language sales to four continents, and attended international book fairs.

COMMUNITY SERVICE

SOCIAL MEDIA SAFETY IN SCHOOLS PROGRAM

Toledo, Ohio

Founder and Coordinator

February 2017-present

Launched an educational program to teach parents, teens, and pre-teens about social media liability and best practices for safe use. Trained and supervised law students who researched the law, created handouts, and prepared presentations. Delivered a presentation to parents and supervised law students who presented to teens and pre-teens at a local middle school.

GATHER TOLEDO

Toledo, Ohio

Founder and Coordinator

December 2016-present

Started a program that organizes in-home dinner parties to welcome immigrants and refugees in the Toledo area. Coordinated dinners from matching host families with refugee families, attended dinners, and performed community outreach to promote and grow the program.

CRESCENT CITY SCHOOLS

New Orleans, Louisiana

Board Member

June 2010-February 2014

Served as member of the Board of Directors for a non-profit charter school management organization from its inception through its takeover and turnaround of failing public schools in New Orleans, serving as Secretary of the Board and Chair of the Governance Committee.

ENTERTAINMENT LAW LEGAL ASSISTANCE CENTER

New Orleans, Louisiana

Student Volunteer

September 2006-June 2007

Assisted local musicians, artists, and non-profit companies in legal matters including copyright, trademark, entertainment law, contract disputes, and business formation. Worked closely with supervising attorney and members of the Arts Council of New Orleans.

HONORS AND SELECTED OTHER PUBLICATIONS

Recipient, Eastman & Smith Ltd. Faculty Achievement Award Fund – Teaching and Scholarship Project Support, July 2017 for work-in-progress *Rethinking Platform Immunity under Section 230 of the Communication Decency Act*.

Guest Blogger, Prawfsblawg.com, December 2016.

Recipient, Summer 2016 URFO grant from the University of Toledo for works-in-progress *Social Media Spoliation* and *Disappearing Data*.

Ethical Duties in the Digital Age: Social Media Competence, Toledo Bar Association Newsletter, October 2014 (Vo. 62, No. 2).

Ten Tips for Maintaining Professionalism Online, The Young Lawyer, June 2012 (Vol. 16, No. 8)
(reprinted in Your ABA, October 2012 (as *Prevent these Professional Pitfalls of Social Media*) and in Your
ABA 2012 Highlights, January 2013).

Recognition as a “Rising Star” in the 2012 edition of *Louisiana Super Lawyers* magazine.

Inclusion in the 2009 edition of *Benchmark Litigation* for work in commercial litigation.

BAR ADMISSIONS

Louisiana (all state and federal courts), 2007 (inactive)

LANGUAGES

Fluent Polish