

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AGENCE FRANCE PRESSE

Plaintiff

vs.

GOOGLE INC.,

Defendant.

CIVIL ACTION NO.: 1:05CV00546 (GK)

EXPERT REPORT OF TIMOTHY D. SMITH

Submitted by:

Bruce G. Joseph (Bar No. 338236)
Thomas W. Kirby (Bar No. 915231)
Jennifer L. Elgin (Bar No. 432975)
WILEY REIN & FIELDING LLP
1776 K St. N.W.
Washington, DC 20006
202.719.7000
Fax: 202.719.7049

Attorneys for Google Inc.

I have reviewed the documents below in order to render my opinion regarding journalistic practices as they apply to materials created by Agence France-Presse and to materials displayed by Google News. Those include:

- A report by Myron Belkind, a retired Associated Press bureau chief.
- The AFP Style Book.
- The AFP Style Book Americas Division.
- The MMD Styleguide.
- A report by Phillip Nesbitt, a media consultant.

In addition, I viewed the Google News and AFP websites. Based on my examination of all these items and on my own 40 years' experience practicing and teaching journalism, I offer the following observations:

1. Headlines are part of a story. They do not exist in a vacuum, but are design elements intended to attract a reader's attention to a story. The type size and placement of the headline also serve as a signal to the reader of the relative importance of the story.
2. Headlines serve a utilitarian function. They are like the street names you would find on a map. Names in larger type signify more important thoroughfares. Standing alone, the names would be virtually useless. Combine them with the lines – analogous to the words of a story – and they become useful. They also serve as the identifier for stories in other contexts as well. For example, when a newspaper story is used in an academic article, the citation used to identify the source of the story starts with the headline.
3. The AFP Style Book (Pages 10, 11) requires that a headline:
 - “must be concise and should never exceed one line on the computer.”
 - “must be self-contained and make sense....(though it need not be grammatical).

- “should contain the same information as the lead paragraph of a story and must accurately reflect the information in the main text.
- be “factual and simple and should contain only one idea.”
- contain, and preferably start with, the name of a country, or a prominent person, sport or firm.

What AFP headlines do not require is either creativity or originality. While the headline is supposed to reflect the lead, Mr. Belkind quotes a source in his report as saying that the lead is the just the opening salvo – an hors d’oeuvre to whet the appetite for the rest of the story. (Page 6) The AFP Style Book says that the lead paragraph should just contain the barest essential facts – the “who, what, when and where” and, if possible, why and how. All that in 30 words. While the Style Book suggests that the “intro” be able to stand alone, the editors really want the reader to move to the full story. In fact, AFP devotes considerable effort in the Style Book explaining the necessity of constantly revising, rewriting and updating “leads” on the story. When AFP refers to a “lead,” it means the top of a story that could be several paragraphs in length. Unlike the “just the facts” intro, the Style Book says that “leads” should be 400 to 600 words. That could mean 10 or more paragraphs, a substantial portion of the entire story. (Page 16)

[NB: The AFP terminology does not exactly parallel that of newspaper’s. For example, the AFP Style Book refers to an “intro” as the first paragraph of a story. In newspaper terminology, that’s called the “lead.” AFP refers to “headlines” above the “intro.” Actually, these “headlines,” are more akin to a “label.” Unlike newspaper headlines, these “labels” are all the same type size and, for the most part, the same length.]

4. Mr. Belkind notes, quoting the AFP Style Book, that headlines must reflect the intro. The headline is not a separate, discrete element. It is part of a story and typically has meaning as long as it is read with the story. For example, on the front page of Wednesday’s (1-

24-07) Akron, OH, *Beacon Journal*, there is a headline that reads: “Green senator to join Cabinet” Standing alone, the headline might mean that a rookie U.S. Senator is about to join the Bush Administration. But in the *Beacon Journal*, whose circulation territory includes the City of Green, it referred to a state senator from that city joining the new governor’s cabinet. Headlines need context; otherwise, they are just labels.

5. The stories sent out by AFP must be updated regularly, according to the *Style Book*. (Page 16) “Even if there is no significant development in a story for several hours, we should not let it go without a lead to avoid creating the impression that we have stopped covering the event.” (Page 17) Apparently, some creativity is encouraged here. Thus it would appear that headlines and intros and leads may, in some cases, just rearrange old news to make it appear fresh.

6. Thumbnails that appear with “headlines” and “intros” are not much more than icons serving as a link to a story. They do not appear to be intended for use as an image with usable detail. Headshots of prominent people may be recognizable in a thumbnail if closely cropped. But, pictures in this format purporting to show any more detail are too small to have an impact photographically. The type of information contained in a Google thumbnail, for example, has relevance only when read with the accompanying headline. Without the headline, there is no context for the photo and it is too small to supply any context of its own. The image merely serves as another link to a story.

7. Headlines in the newspaper business are written by copy editors, not by the reporters who write the stories. Reporters may be encouraged to attach labels to their stories to provide guidance to the copy editor, but such labels are only a recommendation. In fact, this divided responsibility is sometimes a source of newsroom friction if the copy editor puts an erroneous headline on a story. It is the reporter who will be blamed for the mistake because

readers view the headline and the story as a single element. The headline-style “labels” placed on stories by wire services such as AFP are routinely rewritten by their newspaper clients.

8. In conclusion, I concur with Mr. Belkind’s repeated assertions that presenting facts, concisely and clearly, takes skill. Indeed, a headline or an “intro” stands out, particularly if well-written. But even the most skilled editor, who might write 100,000 headlines in the course of a 40-year career, will have only a handful that he or she would classify as memorable.

9. A copy of my biography and *curriculum vitae* are attached as Exhibits A and B to this report. I am compensated at a rate of \$200.00 per hour for my work on this case.

 /Timothy D. Smith/

Dated: January 29, 2007

EXHIBIT A

BIOGRAPHY OF PROFESSOR TIMOTHY D. SMITH

Prof. Timothy D. Smith joined the School of Journalism and Mass Communication faculty at Kent State University (KSU) in 1986 after having worked for 19 years for the *Akron Beacon Journal*, where he last served as managing editor. He has also worked for the *Columbus Dispatch*, the *Painesville Telegraph*, and United Press International.

Prof. Smith earned both bachelor's and master's degrees in journalism from The Ohio State University and a law degree from the University of Akron. He is the founder and director of the Ohio Center for Privacy and the First Amendment, which specializes in access-to-government issues. In addition to teaching reporting and media law courses at Kent State, Prof. Smith serves as a newspaper consultant, an expert witness in media law cases and as a lecturer on media relations, libel, invasion of privacy and public records issues. He is a founding member of the National Freedom of Information Coalition and a past chair of the Ohio State Bar Association's Media Law Committee.

In 1996, he received the John S. Knight award for excellence in the service of journalism by the Buckeye Chapter of the Society of Professional Journalists, and has served as that organization's president. In 1997, he was selected as a Fellow of the American Society of Newspaper Editors' Journalism Excellence program, a summer newspaper residency for journalism professors. In 2000, he received the university's Distinguished Teaching Award, sponsored by the KSU Alumni Association and the KSU Foundation. During a professional leave in 2003, Prof. Smith served as a volunteer attorney in the Portage County Public Defender's office and has since launched a part-time practice as a criminal defense lawyer.

EXHIBIT B

**CURRICULUM VITAE
of
Timothy D. Smith**

Date of hire: August 1986

Current rank: Professor

EDUCATION:

Bachelor of Arts 1965 Ohio State University.

Master of Arts 1971 Ohio State University.

Juris Doctor 1977 McDowell School of Law,
University of Akron.

EXPERIENCE:

December 1991 to present: Director, Center for Privacy and the First Amendment in the School of Journalism and Mass Communication

August 1986 - present: Professor of Journalism, KSU

July 1, 1991 - June 30, 1994: Interim director, School of Journalism and Mass Communication

January to June 1991: Law Clerk, Ohio Supreme Court, Justice Craig Wright (Professional leave)

September 1983 to May 1985: Adjunct faculty, School of Journalism, KSU

September 1967 to June 1986: Akron Beacon Journal, Akron, OH.

Positions held:

August 1984 - June 1986: Managing Editor

January 1980 - August 1984: Assistant Managing Editor

July 1977 - January 1980: Metro Editor

June 1973 - July 1977: Assistant and Associate Metro Editor

September 1967 - July 1973: Reporter

June 1966 to August 1967: United Press International

PUBLICATIONS and CREATIVE ACTIVITIES:

Invited Presentation, Law & Media Conference presenter on covering the judiciary, Ohio State Bar Association, Columbus, OH, Oct. 6, 2006.

Invited Presentation, Ohio Conference of Area Offices on Aging, Public Records Access, Columbus, OH, Sept. 13, 2004

Seminar, Organized a media law conference on issues including USA Patriot Act and HIPPA, co-sponsored by the Ohio State Bar Association, Canton Repository, Akron Beacon Journal and Cleveland Plain Dealer, Canton, OH, April 13, 2004.

Book chapter, "Selling Bad Habits: The Question of Advertising Questionable Products," by Frances L. Collins and Timothy D. Smith, Cotemporary Media Issues, 2nd Edition, David Sloan and Emily Erickson Hoff, eds, Vision Press, 2004

Invited Presentation, Law & Media Conference program committee and presenter on copyright and on covering the judiciary, Ohio State Bar Association, Columbus, OH, Oct. 12, 2003

Invited Presentation, Law & Media Conference program committee and presenter on covering the judiciary, Ohio State Bar Association, Columbus, OH, Oct. 18, 2002

Invited Presentation, Media Relations, for the Elected Public Officials program conducted by the Center for Public Administration and Public Policy for the Ohio Urban University Program, Norton, OH, April 17, 2002.

Brief Amicus Curiae, Ohio Supreme Court, State ex rel. Beacon Journal v. Bond, submitted December 2001, oral argument pending, May 2002.

Brief Amicus Curiae, State ex rel. Stys v. Parma Community. General Hospital, SUPREME COURT OF OHIO, 93 Ohio St. 3d 438, Decided October 17, 2001.

Invited Presentation, Law & Media Conference program committee and presenter on newsgathering techniques, Ohio State Bar Association, Columbus, OH, October 2001.

News You Can Use, published in 30 daily Ohio newspapers, columns on public records access and the Ohio Sunshine Law, March 2001.

Invited Presentation, Akron Bar Association and the University of Akron McDowell School of Law continuing legal education seminar, "Public Demand for Access," Akron, OH, Dec. 7, 2000.

Invited Presentation, Law & Media Conference, "Access to records," Ohio State Bar Association, Columbus, OH October 2000.

Invited Presentation, Akron Bar Association and the University of Akron McDowell School of Law seminar, "Public Records, Public Meetings and Government Lawyers," Akron, OH. April 5, 2000

Invited Presentation, Ohio State Bar Association annual convention, Update on Libel and Privacy, Toledo, OH, May 2000

Invited Presentation, Law & Media Conference chairman and presenter on access to records, Ohio State Bar Association, Columbus, OH November 1999.

Invited Presentation, Cuyahoga County Municipal Courts, public records and media relations, Shaker Heights, OH October 1999.

Invited Presentation, Access to records, City of Akron Law department staff, Sept. 24, 1999.

Invited Presentation, Open Records and Open Meetings, co-sponsored by the Ohio Center for Privacy & the First Amendment, the Ohio State University at Lima and the Lima Daily News, May 1998.

Invited Presentation, Covering the courts, Law and Media Conference, Ohio State Bar Association, July 1998.

Book chapter, "Selling Bad Habits: The Question of Advertising Questionable Products," by Frances L. Collins and Timothy D. Smith, Cotemporary Media Issues, David Sloan and Emily Erickson Hoff, eds., Vision Press, March 1998.

Refereed paper, co-authored with Prof. Frances Collins, "**A prescription for Commercial Speech: Return to Virginia Pharmacy.**" accepted by the Law Division, Association for Education in Journalism and Mass Communication, August 1997.

Invited Presentation, "FERPA: Secret Justice is Justice Denied," Association of Student Judicial Affairs national conference, Feb. 8, 1997.

Refereed paper, co-authored with Prof. Frances Collins, "**In Loco Parentis: The Supreme Court, Advertising, and The First Amendment. 44 Liquormart v. Rhode Island**" accepted by the Advertising Division, Association for Education in Journalism and Mass Communication, August 1996.

Invited Presentation, "Ohio Open Records Laws," Ohio Parking Managers Conference, Oct. 12, 1995. Kent, OH.

Seminar, "Recent Developments in Libel, Privacy and Records Access," Dix Newspapers Editors' Group, Oct. 4, 1995, Kent, OH.

Seminar, News Media Relations, for officials of the Ethiopian government. Kent, OH August 21, 1995.

Seminar: "Anatomy of a Lawsuit," The 1995 Ohio Media and Law Conference, July 21, 1995, Columbus, OH

Panel, Hate Speech on Campus, Produced a session, moderated by Prof. Arthur Miller of Harvard, that included the Ohio Supreme Court Chief Justice, to discuss hate speech problems. April 6, 1995

Seminar: "Ask the Experts" Recent developments in Open Records, The 1994 Ohio Media and Law Conference, Aug. 19, 1994, Columbus, OH

Seminar: "Cutting Edge Issues in Juvenile Court," Supreme Court of Ohio Judicial College, July 8, 1994 Cleveland; July 22, 1994, Columbus, OH

Invited Presentation, Governor's Lucasville Media Task Force. Presentation on news media relations in crisis situations. Nov. 18, 1993.

Refereed article, co-authored with Laura M. Bartolo, Reference Librarian, Kent State University Libraries, "Interdisciplinary Work and the Information Search Process: A Comparison of Manual and Online Searching," College and Research Libraries, pp. 344-353, July 1993.

Refereed article, co-authored with Prof. Stanley Wearden and Prof. Jeffrey K. Smith, "An Experiment on the credibility of Anonymous vs. Named Sources," Newspaper Research Journal, In press.

Article, "Big Concept, Big Plan, Big If," Corporate Cleveland magazine, August 1992.

Refereed article, Job Interviewing Techniques, College Media Advisor, Fall 1991.

Refereed paper, co-authored with Prof. Stanley Wearden, "An Experiment on the credibility of Anonymous vs. Named Sources," Association for Education in Journalism and Mass Communication, Boston, August 1991.

Article, "Can Press Break Its Word?", Cleveland Plain Dealer, Forum Section, March 16, 1991.

Seminar: "Access to public records for university newspapers; first job experiences". Rocky Mountain Collegiate Press Association, SW Texas State University, San Marcos, TX, March 8-10, 1990.

Producer, and moderator, Northeast Ohio Faces the '90s, WNEO-TV, Dec. 12, 1989.

Article, "For Personal Reasons", FineLine, October 1989, Louisville, KY.

Article, "The rights of commercial utterance", Cleveland Plain Dealer, Sept. 9, 1989.

Seminar: Panel member; "Media Access to Judicial Proceedings," co-sponsored by Ohio Bar Association, Ohio Newspaper Association and Ohio Association of Broadcasters, July 8, 1989, Columbus, OH.

Seminar: Newsroom Management Techniques, sponsored by the United Press International Editors Association, May 1989, Sandusky, OH.

Seminar: Legal Affairs Reporting; Organized and moderated event attended by 40 reporters from Northeastern Ohio; Received grant from the Ohio Newspaper Association. April 15, 1989, Kent, OH.

Article, "The allure of concealing information", Cleveland Plain Dealer, Forum Section, April 3, 1989.

Report, 1989 Ohio Freedom of Information Report, March 1989, Cleveland Press Club.

Column, "Open-records law in Ohio really isn't a secret." op-ed page, Akron Beacon Journal, Feb. 28, 1989.

Report, 1988/89 FOI Report of the Associated Press Society of Ohio, June 1988/89.

Report, 1988 Ohio Freedom of Information Report, July 1988, Cleveland Press Club.

Brief Amicus Curiae, Ohio Supreme Court, State ex rel. FOSTORIA DAILY REVIEW COMPANY vs. FOSTORIA HOSPITAL ASSOCIATION, et.al., Case No. 87-102, filed March 17, 1987 on behalf of Common Cause/Ohio.

Seminar: "Dealing with the Sensational Court Case," discussion

leader for a panel of professional journalists, lawyers, students and judges, sponsored by the Akron Chapter of Sigma Delta Chi, Society of Professional Journalists, March 8, 1987, Akron, OH

Report, Freedom of Information Committee, APSO, June 1987

Report, Freedom of Information Committee, APSO, June 1986

Analysis, Scott v. News-Herald, an Ohio Supreme Court decision on libel for the Associated Press / Ohio report, September 1986

Article, Future of Journalism Education, Press Club of Cleveland, 1986 Hall of Fame Commemorative Issue, November 1986

Report, Freedom of Information Committee, Associated Press Society of Ohio, June 1985

PRESENTATIONS AT PROFESSIONAL MEETINGS:

Panel facilitator, "Improving Public Trust" forum, sponsored by the Ohio Judicial Conference, Columbus, OH Jan. 16, 2002.

Speech, Editorial staff, Waste News, Crain Communications, story development, Akron, OH June 29, 2000.

Panel moderator, Newsgathering Torts, Media Law Committee, Ohio State Bar Association, Columbus, January 1999.

Invited presentation, "Open Records and Access Issues," National School Public Relations Officials, Ohio Chapter, Columbus, April 23, 1997.

Invited presentation, "Libel and Privacy Developments," Associated press Broadcasters' convention, Mohican State Park, May 13, 1995.

Panel: Moderator, "The Electronic Media," Leadership Akron, Akron, OH January 18, 1995.

Invited presentation: "Cutting Edge Issues In Juvenile Court." The Supreme Court of Ohio Judicial College; Cleveland and Columbus, OH, July 1994.

Invited presentation: "Trends in Mass media." Leadership Warren, Mahoning Valley conference, Warren, OH November, 1994.

Invited presentation: "Media Relations in the Public Sector." American Society for Public Administration (Akron Chapter), Akron, OH November 1993.

Panel, "State Developments in Access," National Freedom of Information Coalition, Arlington, VA., Jan. 10, 1992.

Invited presentation: "What's New in the News Business?" Kent Rotary, Kent, OH September 22, 1992

Invited presentation: "The Center for Privacy and the First Amendment" Alliance Area Democrats, Alliance, OH September 9, 1992

Invited presentation: "Rights of Privacy"; American Prospect Research Association, national convention, Reston, VA August 21, 1992

Invited presentation: "Ethics in Journalism", the Wick Lecture Series, Trumbull Campus, KSU August 10, 1992

Panel: Moderator, "Cameras in the courtroom"; annual Law & Media Conference, Columbus, OH, July 1992.

Invited presentation: "New Developments in Mass Communication, Leadership Warren, Warren, OH June 4, 1992

Panel: Moderator, "Hate Speech", School of Journalism and Mass Communication Week, Kent, OH April 29, 1992

Panel: Moderator, "Reporting Ethics", Society of Professional Journalists. Columbus, OH April 25, 1992

Panel: Moderator, "Government Conflict," Radio Television News Directors Association, Columbus, OH October 12, 1991

Invited presentation: "How to handle libel cross-examination;" Crain's Publications, Annual Editor's Meeting, Cuyahoga Falls, OH May 6, 1991

Invited presentation: Legal reporting. Ohio University School of Journalism, Athens, OH April 27, 1991

Panel: Moderator, "First Amendment -vs- Libel;" panel discussion sponsored by Ohio Newspaper Association convention, February 14, 1991

Speech: "Access to Records", Ohio Prospect Research Network. Columbus, OH. June 1990

Panel: Moderator, "The High Profile Case", panel discussion sponsored by Ohio State Bar Association Convention, Dayton, OH May 1990

Panel: Moderator, "Ethics and Juveniles", panel discussion sponsored by Society of Professional Journalists, Akron, OH February 13, 1990

Workshop Ohio's Open Records Law, Ohio Prospect Research Network, Columbus, OH, October 1991.

Panel: Moderator, "Cops Robbers and Reporters," Radio-Television News Directors Association, Columbus, OH October 1991.

Panel: Moderator, "Socratic Dialogue: Journalists, Their Sources and Ethical Concerns," Akron chapter, Public Relations Society of American, Sept. 14, 1989.

Workshop, 1989 Media and the Law Conference, panelist for session on "Practical Concerns in Covering Public and Private Judicial Systems." July 8, 1989, Columbus, OH.

Debate: Moderator, "Access to Ohio 's Public Records," sponsored by the Cleveland Press Club, March 31, 1989, Cleveland, OH.

Panel: Moderator, "Tough Decisions in the Newspaper Business," 56th annual convention, Ohio Newspaper Association, Feb. 17, 1989, Columbus, OH.

Panel: Moderator, "Implications of Hazelwood School District vs. Kuhlmeier for High School and Professional Journalists," two panel discussions sponsored by the Cleveland chapter of the Society for Professional Journalists, February 16, 1989, Cleveland, OH.

Workshop, "Legal and legislative implications of Hazelwood School District vs Kuhlmeier;" First Amendment Seminar; moderator, seminar plenary session, Ohio University, January 13, 1989, Athens, OH.

Workshop, 1988 Media and the Law Conference, chairman of session on "Communicating More Effectively With The Media." Panelist for a second session on "Open Records and The Media." July 30, 1988, Columbus, OH.

Debate: Moderator and organizer, "Press Rights vs Responsibilities," Ohio Supreme Court Justice Wright and Judge Lawrence Grey of the Fourth District Court of Appeals; sponsored by the Freedom of Information Committee, Cleveland Press Club, March, 1988, Cleveland, OH.

American Press Institute, lecture on legal problems for newspaper copy desks, Reston, VA, October 1987.

Panel: Moderator, "Future of the Fairness Doctrine" discussion, sponsored by the Associated Press Broadcasters, October 1987, Columbus, OH.

Debate: "Ethical Conflicts between Journalists and Politicians," sponsored by the Case Western Reserve University's Center for Professional Ethics, October 1987, Cleveland, OH.

Workshop: Recent developments in libel law; sponsored by the Ohio Newspaper Association; Sept. 11, Boston Heights; Sept. 18, Columbus, and Sept. 19, 1987, Dayton, OH.

Speech: "New Developments in Ohio's Open Records Law," Queen City Chapter of Sigma Delta Chi, Society of Professional Journalists, September 1987, Cincinnati, OH.

Freedom of Information Report, APSO annual meeting, Akron, Ohio, June 1987.

Panel: Moderator, "The Future of Journalism Education" panel discussion, sponsored by the United Press International Editors' Association, May 1987, Dayton, OH.

Mock Libel Trial, Organizer, Plaintiff's attorney; Press Club of Cleveland, Cleveland, OH, March 1987.

Mock Libel Trial, Organizer, Plaintiff's attorney, APSO annual convention, Columbus, OH, June 1986

Freedom of Information Report, APSO annual meeting, Columbus, Ohio, June 1986.

Speech: "Editorial Excellence,"; Ohio Newspaper Association convention, February 1986, Columbus, OH.

Speech: "The Akron Media Market,"; Leadership Akron, Feb. 3, 1986, Akron, OH.

Freedom of Information Report, Associated Press Society of Ohio annual meeting, Columbus, 1985.

OTHER PROFESSIONAL ACTIVITIES:

Speech, "Copyright Law," Horticultural Sciences Spring Retreat, Davey Tree Co., Oct. 5, 2000.

Speech, "Sexual Images in the Media," Sexually Transmitted Disease Committee, Oct. 25, 1995, Kent, OH.

Speech, "Media Relations," Undergraduate Student Senate, Aug. 21, 1995, Kent, OH.

Speech, "Libel and Privacy," Record-Courier reporting and editing staff, April 2, 1995, Kent, OH.

Public Forum, Kettering Public Policy Institute, Oct. 12, 1994, Kent, OH.

Invited Presentation, "News Media Relations," Management Seminar for the Summit County Board of Mental Retardation and Developmental Disabilities, Nov. 9, 1994, Tallmadge, OH.

Commentary, Media law issues, Open Air Forum, WRRO-AM, Warren, OH, Oct. 4, 1989.

Commentary, Ethical issues in the 1988 Mahoning County prosecutor's race, Channel 27, Youngstown, Oct. 10, 1988.

Speech: "Libel Concerns for High School Journalists," Northern Ohio Scholastic Press Association, April 1988, Kent, OH.

Panelist, "Media Coverage of the 1988 Presidential Campaign," sponsored the KSU Student Leadership Board; March, 1988.

Judge: Ohio Newspaper Association's Hooper Awards competition, February 1987.

Judge: Northern Ohio Scholastic Press Association, 1987-present

Judge: New England Newspaper Association annual "Best Newspaper of the Year" competition, April 1987, Boston, MA.

Speech: "Techniques of Investigative Reporting," Northern Ohio Scholastic Press Association, April 1987, Kent, OH.

Speech: Developments in Advertising Regulation in the Wake of Posadas de la Puerto Rico vs. Tourism Company, Canton Advertising Club; Sept. 20 1987, Canton, OH.

Speech: Sex and the 1988 Campaign, Kent Rotary Club, November 1987, Kent, OH.

Speech: "Newspapers and the First Amendment," delivered to faculty and students at the University of Akron; October 1986, Akron, OH.

UNIVERSITY COMMITTEES AND SERVICE:

Member, University Priorities and Budget Committee, 2002 – present.

American Association of University Professors, Member, 2001-2004 contract negotiations team, May-September 2001.

American Association of University Professors, Second vice president, member Executive Committee, Fall 2000 to present.

Member, 2001 Second Annual Symposium on Democracy, "media Profit and Politics: Competing Priorities in an Open Society," Fall and Spring semesters 2000-2001.

Adviser, Society of Professional Journalists, Campus chapter, 1999-present.

Member, Faculty Senate Committee on Administrative Officials, 1998-2001.

Member, University Civility Committee, January-May 1999

Member, University Priorities and Budget Committee, 1995-98

Member, All-University Promotion Committee, 1995.

Alternate Member, Joint Appeals Board/College of Fine & Professional Arts. Elected 1995.

Hearing Officer, University Judicial Affairs Office, 1992 - present

Member, All-University Hearing Board, 1994 - present

Member, Student Discrimination and Harrassment Policy Review Committee, 1994-95

Chairman, Ad Hoc Self-study Committee, formed to oversee the preparation for a reaccreditation visit in the fall of 1990.

Chairman, Peer Review Committee, established to provide periodic evaluations of faculty teaching, 1989 to 1991.

Member, Curriculum Committee, School of Journalism and Mass Communication, 1988-89.

News-Editorial sequence coordinator, School of Journalism and Mass Communication, 1986-1989 and 1998-99.

Chairman, Ad Hoc Graduate Curriculum Committee, formed by Dean Robert Powell of the Graduate College, to create a new, professional degree program for the School of Journalism and Mass Communication, 1986-89.

Adviser, Daily Kent Stater, 1988 to 1992; 1994 - 1999

Member, Journalism Publication Board, 1987.

Member, Ad Hoc Faculty Committee to explore the creation of a Journalism Publication Board of oversee the Daily Kent Stater and the Burr, 1986-87.

Member, Ad Hoc Curriculum Committee for the merged Journalism/Telecommunications program, 1986-87.

Member, Graduate Studies Committee, 1986 to present.

Chairman, Ad Hoc Merger Committee, appointed by Dean Thomas Barber to explore the feasibility of a telecommunications and journalism merger, 1986.

GRANTS:

Program grant, \$10,000, National Freedom of Information Coalition, to produce four seminars on access to information for the news media, government officials and the public, March 1997

Publication grant, \$2,400 annually, Ohio State Bar Association, to publish and mail the Center for Privacy newsletter. December 1996 to present.

Program grant, \$3,000. Anonymous source. To help underwrite cost of a special panel discussion moderated by Prof. Arthur Miller, Harvard University, on campus hate speech. April 1995.

Publication grant, \$4,000 annually, from the Ohio Coalition for Open Government, to publish a semi-annual newsletter circulated to 3,500 elected and appointed government officials statewide, along with all newspaper editors and broadcast news director. 1993 - 1995.

Teaching/workshop grant, \$88,000, U.S. Department of Education, for a six-week summer workshop in journalism for minority students, Summer, 1993.

Research grant, \$2,500, Ohio State Bar Association to the Ohio Center for Privacy and the First Amendment for a statewide survey of judges, prosecutors and defense lawyers on attitudes towards courtroom photography, June 1991.

Professional development grant, \$1,200 to research the Cohen vs. Cowles Media lawsuit. College of Fine and Professional Arts, May 1990,

Publication grant, \$5,000. KSU Foundation. For publication of a special section of the Daily Kent Stater devoted to the 20th anniversary of May 4th. January 1990.

Research grant, \$490. Research and Sponsored Programs., Fall 1989, for use of Lexis database system in training media law students in methods of legal research.

Research grant, \$490. University Research Council, Underwrite cost for media law honors students to research their term papers using the Lexis database in the main library. September 1989.

Seminar grant, \$250. Ohio Newspaper Association, Underwrite cost of a program on reporting legal affairs. April 1989,

Travel grant, \$499 University Research Council, To defray travel expenses incurred as internship coordinator for the School of Journalism, making onsite visits to newspaper interns for an article on how interns are trained. June 1987,

HONORS:

Outstanding Orientation Instructor, Fall, 2001.

Distinguished Teaching Award, presented by the Kent State University Foundation and Alumni Association, October 2000.

Excellence in Journalism Fellow, sponsored by the American Society of Newspaper Editors; internship, The Patriot-Ledger, Quincy, MA June-July 1997.

John S. Knight Award for service to journalism from the Society for Professional Journalists, Buckeye Chapter, May 1996.

Fellow, Poynter Institute, Journalism Fellowship Program in Media Management, St. Petersburg, FL 1989.

Mortar Board, selected for outstanding teaching, 1989.

Mortar Board, selected for outstanding teaching, 1988.

Fellow, Urban Journalism Center, Northwestern University, Chicago, 1969.

OTHER PROFESSIONAL/SCHOLARLY ACTIVITIES:

Knight-Ridder Inc., Developmental Training Centers, management observer, 1977 to 1986

Practising Law Institute:

Libel defense strategies seminar, Chicago, August 1983.

Communications Law seminar, New York, November 1983.

Libel litigation seminar, New York, June 1986 – 1991

Communications Law seminar, New York, November 1997

Communications Law seminar, New York, November 1998

Communications Law seminar, New York, November 2000

Communications Law seminar, New York, November 2001

American Newspaper Publishers Association/Libel Defense Resource
Center, speaker, Chicago, June 1985

Chairman, Freedom of Information Committee, Press Club of
Cleveland, September 1986 to 1991.

Chairman, Freedom of Information Committee, Associated Press Society of
Ohio, 1985 to present.

Chairman, Teaching Standards, Newspaper Division, Association for Education
in Journalism and Mass Communication, 1989-90.

Vice Chairman, Newspaper Division, Association for Education in Journalism
and Mass Communication, 1992-93.

Chairman, Newspaper Division, Association for Education in Journalism and
Mass Communication, 1993-94.

Member, Task Force on Media Criticism; AEJMC, 1994-95.

Expert Witness:

Fisher vs. Taft, Franklin County Common Pleas Court, 1998.

Tyson vs. The Lantern, et. al., Case No. 94-13730, The Ohio Court of
Claims, 1995.

Robb Vs. Lincoln Publishing Co., Case No. 94 CV 35303, Brown
County Common Pleas Court, 1995.

Napier v. WCPO-TV, Hamilton County Court of Common Pleas, 1995.

Stephens v. Madiera Board of Education, Hamilton County Court of
Common Pleas, 1995

Tasini v. The New York Times, et. al., 93 Civ 8678, U.S. District Court,
Southern District of New York, 1995.

Sethi v. WFMJ-TV, Mahoning County Court of Common Pleas, 1995.

Hauck v. Gannett, Hamilton County Court of Common Pleas, 1995.

Biddle v. WFMJ-TV, 95 CV 1061, Trumbull County Court of Common
Pleas, 1995.

White vs. Clinton County Board of Commissioners, Case No. 93CVH228,
Clinton County Common Pleas Court, 1994.

Young v. The Morning Journal, 93 CV 11 08003, Lorain County Court of Common Pleas, 1993.

Newcomb et. al. vs. The Plain Dealer, Case No. 93757, Cuyahoga County Common Pleas Court, 1990.

Murray vs. Pittsburgh Press Co., Case No. GD89-6161, Allegheny County Common Pleas Court, 1989.

PROFESSIONAL AFFILIATIONS:

Member, National Freedom of Information Coalition, 1993 to present.

Trustee, Ohio Coalition for Open Government, 1992 to 1996.

Member, American Bar Association, 1977 to present.

Member, Forum Committee on Communications Law, American Bar Association, 1986 to 1994

Member, Associated Press Managing Editors, 1986 to present.

Member, Association for Education in Journalism and Mass Communication; Newspaper Division (Teaching Standards chairman, 1989-90), Law Division, 1986 to present.

Liaison, American Bar Association/Law Division, AEJMC, 1989.

Member, Associated Press Society of Ohio, 1967 to present.

Chairman, Ohio Bar Association; Media Law Committee, 1999-2001

President, Society of Professional Journalists, Buckeye Chapter, 1999-2001.

Member, Editorial Board, Newspaper Research Journal, 1989 – present.