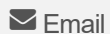


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Prior to joining the firm, Mark was an attorney at The Reporters Committee for Freedom of the Press, the nation's leading legal advocacy non-profit organization serving free press and First Amendment interests. In that role, he specialized in freedom of information, access, and intellectual property issues. Prior to that, he practiced commercial litigation in New York City where he represented foreign and domestic corporate clients in multi-million dollar disputes. Mark also served as director of the Marion Brechner Citizen Access Project at the University of Florida's College of Journalism and Communications, where he taught upper division classes in media and telecommunications law. He is a frequent speaker at journalism and media conferences and has been quoted in publications such as The New York Times, The Wall Street Journal and Pro Publica. He has also appeared on NPR and On the Media.

During law school, he worked in the sports department of the Gainesville Sun.



Representative Matters

State of Florida v. Dylan Christopher Farley (Fla. Cir. Ct. 2019). On behalf of the (*Fort Myers*) *News-Press*, obtained order vacating prior order restricting news media from photographing, filming, recording or subsequently publishing images of participants in drug court proceedings without their prior consent.

School Board of Broward County v. Cruz (Fla. Cir Ct. 2018); *State v. Cruz* (Fla. Cir. Ct. 2018). Successfully defended the *South Florida Sun Sentinel* and journalists Paula McMahon and Brittany Wallman against petition brought by the Broward County School Board seeking to hold the Sun Sentinel and its journalists in contempt for publishing an unredacted version of an educational assessment report about Parkland shooter Nikolas Cruz.

Folta v. The New York Times Company, et al., No. 1:17-cv-256-MW/GRJ, 2019 WL 486776 (N.D. Fla. Feb. 27, 2019), appeal dismissed, No. 19-10988-HH (11th Cir. Apr. 9, 2019). Won summary judgment for *The New York Times* and journalist Eric Lipton in defamation case involving news story profiling relationships between public university professors and the biotechnology and organic food industries concerning the safety and regulation of G.M.O. food products.

Department of Corrections v. Amanda St. Hilaire and ABC 27 News, 128 A.3d 859 (Pa. Commw. Ct. 2015). Successfully represented television news station and reporter in Pennsylvania open records appeal by Department of Corrections regarding access to inmate injury records.

Tartell v. South Florida Sinus & Allergy Center, 790 F.3d 1253 (11th Cir. 2015). Convinced appellate court to reverse cybersquatting verdict and hold that plaintiff failed to establish trademark rights.

Bainter v. League of Women Voters of Florida, 150 So. 3d 1115 (Fla. 2014). Successfully represented national coalition of media parties in friend-of-the-court capacity seeking access to sealed evidence considered by trial court in determining whether state legislature's redistricting plan was constitutional.

Participated in drafting and researching numerous friend-of-the-court briefs in high-profile cases affecting public access rights to government information, including: *New York Times Co. v. Dept. of Justice*, 752 F.3d 123 (2d Cir. 2014), superseded by 756 F.3d 100;

Asgeirsson v. Abbot, 696 F.3d 454 (5th Cir. 2012); *Project Vote/Voting for America, Inc. v. Long*, 682 F.2d 331 (4th Cir. 2012); *Nevada Comm'n on Ethics v. Carrigan*, 564 U.S. 117 (2011); *Milner v. Dep't of the Navy*, 562 U.S. 562 (2011); *FCC v. AT&T, Inc.*, 562 U.S. 397 (2011).

Appearances and Publications

Co-author, Florida Section: Reporters Committee for Freedom of the Press' Open Courts Compendium (2015 update).

Co-author, Chapter: Public Access in High-Profile Cases, Media Law Resource Center Panic Book (2015 update).

Panelist, Combatting Excessive Fees for Obtaining Government Records, National Freedom of Information Coalition FOIA Summit (2014).

Co-author, Mug Shots on Lockdown: Government and Citizen Backlash to "Exploitation" Websites Surges, Free Speech is the Casualty, Communications Lawyer, American Bar Association, Vol. 30, No. 3 (June 2014).

Author, U.S. Supreme Court Limits Two Federal Freedom of Information Act Exemptions, In Separate Opinions, Grammar and Ordinary Meaning Rule as High Court Rejects Corporate "Personal Privacy" and "High 2," Media Law Resource Center Media Law Letter (Mar. 2011).

Co-author, Anonymous Speakers and Confidential Sources: Using Shield Laws When They Overlap Online, 16 COMM. L. & POL'Y 89-125 (2011).

Author, Internet-Television, Peer-to-Peer Technology and Free Speech: Lessons from Web 1.0, 20 U. FLA. J.L. & PUB. POL'Y, 295 (2009).

PRIMARY PRACTICES

Media Law

Intellectual Property

Trademark, Copyright & Domain Name Litigation

Civil and Commercial Litigation

Appellate

EDUCATION

MA, University of Florida, 2003

JD, University of Florida, 2002

BA, University of Florida, 1998

BAR ADMISSIONS

Florida

New York

Northern District of Florida

Middle District of Florida

Southern District of Florida

Eastern District of New York

Southern District of New York

5th Circuit

11th Circuit

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

Hillsborough County Bar Association, Member

PAST EMPLOYMENT POSITIONS

The Reporters Committee for Freedom of the Press, 2010 - 2013