

The Facebook Grenade: (Ethically) Mining Social Media for Maximum Effect

PRESENTED BY DRI AND THE GEORGIA DEFENSE LAWYERS ASSOCIATION

Social media discovery is often misused and misunderstood. While attorneys may focus on drafting the best discovery requests, they often fail to ask themselves whether sending such requests right away is tactically appropriate. Operating on “automatic,” they may de-fang some of their best evidence, before they even know it exists. This program focuses on the tactical use of social media investigation, including specific tips on how you can mine plaintiffs’ Facebook profiles, save and store posted video, and identify photos that plaintiffs have been tagged in, all while maintaining the ethical bright line against inappropriate contact with represented parties. The second part of the program turns to what to do once the evidence is secured, detailing effective impeachment techniques, including when and whether to deploy the Facebook grenade.

WEDNESDAY, APRIL 26, 2017

2:00 p.m. – 3:30 p.m. Eastern

1:00 p.m. – 2:30 p.m. Central

12:00 p.m. – 1:30 p.m. Mountain

11:00 a.m. – 12:30 p.m. Pacific

Who Should Attend

- Civil defense counsel
- Claims handlers
- In-house counsel managing litigation files
- Investigative vendors who need updating on ethics opinions affecting whether evidence may be used

What You Will Learn

- How to locate a plaintiff’s profile yourself when one may not appear on a Google search
- How to trap a dishonest plaintiff and set up a sanctions motion (which may include dismissal)
- How to impeach a witness effectively without angering the juror concerned with personal privacy

Speaker



Zach Matthews is a partner with McMickle, Kurey & Branch in Alpharetta, Georgia. He devotes his entire practice to litigation, including premises liability, interstate and intrastate trucking, auto and personal injury defense and insurance coverage. He also represents both employers and insurers in the retail and hospitality sector (including hotels, restaurants, bars, and large sporting venues). Mr. Matthews is an experienced trial lawyer with a number of jury trial victories in Georgia’s state and federal courts, including as solo trial counsel. Mr. Matthews received his J.D., *cum laude*, from the University of Tennessee College of Law in 2006 where he was an Articles Editor for the *Tennessee Law Review*.

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