

REVENGE PORN PROBLEM

You represent Rebecca Levendowski. Between 2011 and 2013, she was in a long-distance relationship with Derek Franks. During that time, Levendowski took about fifty sexually suggestive photographs of herself using her iPhone and emailed them to Franks. The relationship ended badly, with screaming matches and mutual accusations of infidelity. Recently, Levendowski has learned that some of the photographs have appeared on InHerPlace.com, a website that describes itself as “a place to get back at lying exes who done you wrong.” The photos were uploaded by a user with the username FUAceber.

What are Levendowski’s legal options? What do you recommend?

You are not expected to know the answer to these questions ... yet. Instead, think through the issues the problem raises. What causes of action might Levendowski have, and against whom? Are there other avenues she can pursue outside of court? What obstacles stand in the way of asserting or enforcing her rights? What practical and tactical concerns should you as her attorney be considering? What areas of law will you need to know more about? What facts will you need to investigate? We will devote much of our time this semester to answering these questions.