



# MASS MEDIA LAW

## COMPENDIUM

ERIC E. JOHNSON



# Mass Media Law Compendium

VERSION 1.0  
2013 EDITION

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REV. 1.01  
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***On the cover:*** A newsstand on Third Avenue in Midtown Manhattan, New York.

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[ADDITIONAL PENDING ...]



# Editor's Notes

## NOTES ON THE EDITING OF CASES:

In editing these cases, my emphasis has been on readability and veracity. In places, I have strived for brevity, although less so for many of the First Amendment cases.

***Profanity, epithets, and noxious material in cases:*** I have not edited out of these cases the facts, and that necessarily means that many of the First Amendment cases contain content that is uncomfortable and sometimes disturbing. Thus, epithets and other forms of profanity, indecency, and hateful speech remain. Where omissions of certain words occur, those omissions are the court's, not mine. For instance, the U.S. Supreme Court opinion in *FCC v. Fox Television Stations* notably omits profane words, even as it discusses them. By contrast, other, earlier U.S. Supreme Court opinions reproduce text at issue in the case even when that text is conspicuously appalling. I made the choice as casebook editor to let this compilation reflect the original editorial and authorial choices of the writing judges. The result is a fuller, higher-resolution, and more truthful picture of the crucible in which modern legal doctrine was formed, one which I believe is appropriate for graduate legal study.

***Editing marks:*** Because I think it is good for the reader to be able to get a sense of the relative fidelity of the edited version compared to the original, I have left the following editing marks in many places:

~ The superscript tilde denotes matter omitted, which might be of any type.

^ The superscript carat denotes matter omitted, limited to citation matter.

↵ ↶ The superscript right-pointing descending arrow indicates that the following material was originally included as a footnote. The superscript left-pointing descending arrow indicates that the preceding material was originally included as a footnote.

{ } Curly brackets indicate my insertion.

Other editing marks are those of the court, not mine.

***Edits without notation:*** Not every edit I made has been notated in the text. Here are general edits that I have made without leaving any annotation in the case text: Parallel citations have generally been removed without notation. Spaces have been added or deleted in cases where the observed style was unconventional and jarring. Italicization and bold weighting differs from the original without notation. Case names have generally

been italicized, and Latin terms have generally been set in roman type. Long quotes have been made into blockquotes, and where quotation marks occurred around a blockquote, they may have been removed. Doubled quotations marks have occasionally been removed. Footnotes, where they appear here, have generally been renumbered. Official headnote references have been eliminated. In addition, I have sought to remove all indicia of additions to any text made by unofficial publishers. The typesetting of dashes and ellipses has generally been standardized regardless of how it appeared in the original document.

Footnotes have been removed without indication in the following cases: *Richmond Newspapers v. Virginia*, *Leathers v. Medlock*, *Lorillard Tobacco v. Reilly*, *Nebraska Press Association v. Stuart*, *New York Times v. Sullivan*, *Gertz v. Robert Welch, Inc.*, *Time, Inc. v. Firestone*.

Where footnote material has been incorporated as text in the body, it has been inserted at the point of the footnote reference, unless the footnote reference was in the middle of the sentence, in which case the inserted text occurs following that sentence.