



Eric M. David

Associate

Raleigh Office

1600 Wells Fargo Capitol Center

150 Fayetteville Street

Raleigh, North Carolina 27601

T: (919) 573-6203

F: (336) 232-9103

E: edavid@brookspierce.com

Eric David is an Associate practicing in the areas of First Amendment law, media & communications, and civil litigation. Eric has represented business clients in both state and federal trials. In his media practice, Eric has advocated on behalf of newspaper and broadcast clients in a variety of First Amendment and newsgathering disputes, as well as in proceedings before the Federal Communications Commission.

Prior to attending graduate school and then law school, Eric served as Assistant Director for Summer Enrichment for the John Motley Morehead Foundation in Chapel Hill and Associate Director of Admissions and History Teacher for Sewickley Academy in Sewickley, PA. While at Sewickley Academy, Eric also coached golf, basketball, and baseball.

Recent Reported Cases

- *Cherry v. F.C.C.*, 641 F.3d 494 (D.C. Cir. 2011) (dismissing challenge to decisions by the Federal Communications Commission) (on behalf of intervenor-appellee receiver of broadcast station group).

Practice Areas

First Amendment Issues

Litigation

Media, Communications & Technology

Education

University of North Carolina, J.D., High Honors, 2008, Editor in Chief, *First Amendment Law Review*, Order of the Coif

University of North Carolina at Chapel Hill, School of Journalism and Mass Communication, M.A., 2005, Park Fellow

University of North Carolina at Chapel Hill, B.A., 1994, John Motley Morehead Scholar, Phi Beta Kappa

- *Dutcher v. Eastburn et al.*, Case No. 5:10-CV-210-FL, 2011 WL 1134666, 39 Media L. Rep. 1605 (E.D.N.C. 2011) (dismissing defamation claims against publishers and author for lack of personal jurisdiction) (on behalf of publishers and author).
- *The News and Observer Publishing Co. et al. v. Raleigh-Durham Airport Authority*, 597 F.3d 570, 38 Media L. Rep. 1417 (4th Cir. 2010) (affirming district court order invalidating on First Amendment grounds airport's complete ban on newsracks) (on behalf of publisher).
- *American Petroleum Institute v. Cooper*, 681 F. Supp. 2d 635 (E.D.N.C. 2010) (granting summary judgment to defendants on claims by oil producers' trade associations seeking to invalidate a North Carolina statute) (on behalf of intervenor-defendant trade association of petroleum and convenience marketers).

Honors & Awards

- Recognized as the singular "Rising Star" in Civil Rights/First Amendment by *North Carolina Super Lawyers*, 2012

Professional & Community Activities

- Triangle Lebanese Association
- Alpha Sigma of Chi Psi Fraternity Alumni Advisory Board

Publications & Presentations

- "Prior Restraint 2.0: A Framework for Applying Section 230 to Online Journalism," *1 Wake Forest J.L. & Pol'y* 75 (May 2011)
- "Covering the Courts," North Carolina Press Association Newspaper Academy, April 2010
- "Sinkholes and 'Substantial Rights': North Carolina's Rejection of Enhanced Procedural Protections for Defamation Defendants," *First Amendment Law Review*, UNC School of Law, 2007
- "Blurring the Color Line - The Desegregation of the Baltimore City Public Schools, 1954-1994," *The Urban Review*, December 1994
- "Executive Privilege and the Vice President: The Bush Administration's Fight to Extend Executive Privilege over White House Records." *Association for Education in Journalism and Mass Communication Southeast Colloquium*, Law Division, March 2004

Seminars & Speaking Engagements

- Eric David Presents "Covering the Courts" to the North Carolina Press Association

Publications

- Prior Restraint 2.0: A Framework for Applying Section 230 to Online Journalism
- D.C. Court of Appeals Protects Anonymous Speech
- Indecency Challenges Proceed Through the Federal Courts

Bar & Court Admissions

- North Carolina
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, D.C. Circuit
- U.S. District Court, Eastern, Middle and Western Districts, North Carolina