

PRESS RELEASE

Wiley Rein Represents ACLU of Maryland in Pro Bono Personal-Information Case

January 28, 2015

A Wiley Rein team led by Richard A. Simpson, Karen L. Toto, Jennifer A. Williams, and Meredith G. Singer is representing the American Civil Liberties Union (ACLU) of Maryland and 11 individuals in a pro bono case stemming from government officials' unlawful compilation of personal information.

Arguing for the ACLU at a January 14 hearing, Karen asked Maryland's Court of Special Appeals to overturn a February 2014 ruling by a lower court that dismissed the lawsuit before it went to trial. One key question in the case is whether citizens have a cause of action under the Maryland Public Information Act against local governments and government officials who collect and disseminate private citizens' personal information in violation of the Act.

The suit was filed in 2012 on behalf of the ACLU and the 11 individuals against Anne Arundel County, former County Executive John Leopold, and two police officials. The suit alleged that Mr. Leopold, during his time in office, directed his staff and police officials to compile dossiers including personal information about the individual plaintiffs, whom he perceived to be political rivals or otherwise adverse to him. Mr. Leopold resigned from office in 2013 after being convicted of misconduct.

Karen told the three-judge appeals panel that the creation of the files violated the Act, and that the defendants should be held accountable for their unlawful compilation of personal information about private citizens. Her arguments were covered by the *Capital Gazette* newspaper.

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Practice Areas

Litigation
Privacy, Cyber & Data Governance

A brief prepared by Mr. Simpson, Ms. Toto, Ms. Williams, and Ms. Singer on behalf of the ACLU also argued that the trial court's ruling was in error because, among other things, the defendants had failed to provide certain documents requested by the plaintiffs in a timely manner.