

US law firm hunts down man for email trespassing

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A San Francisco legal firm is using the power of the law to chase down someone for sending in a solitary email - on the pretext that it is trespassing on their systems.

Law Firm Shearman & Sterling have subpoenaed a bulletin board for the identity of a member who posted a message, which was later sent as an email to the company and which it found offensive.

It is that email which apparently trespassed the company's email system, and was in breach of a 'contract'.

The sender of the email is thought to be a disgruntled employee and civil rights group Electronic Frontier Foundation say they are concerned that the firm is doing this 'not to assert a legal claim, but to discipline an employee.'

The group has written an [open letter](#) [2] urging the company to drop the subpoena as case history has set the precedent of allowing anonymous free speech. It claims that pursuing this case could result in a rule meaning 'anyone who sends an email faces legal liability'.

EFF staff attorney Kurt Opsahl, said: 'The Constitution does not permit subpoenas for identity just because someone was upset ... While it is unfortunate that a Shearman employee received an offensive email message, Shearman cannot manufacture a cause of action out of thin air just so it can unmask an anonymous speaker.'

[Full Story](#) [3].

[Legal](#)

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Links:

[1] <http://www.tuxmachines.org/taxonomy/term/106>

[2] <http://www.eff.org/Privacy/Anonymity/OpenLetterShearman.pdf>

[3] <http://www.pcpro.co.uk/news/72090/us-law-firm-hunts-down-man-for-email-trespassing.html>