

# Daily Journal

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## Top Women

## Lawyers 2011



### Guylyn Cummins

SHEPPARD MULLIN RICHTER & HAMPTON LLP

**Location:** San Diego

**Practice type:** Litigation

**Practice specialty:** Entertainment, media, technology

Non-traditional news outlets, such as WikiLeaks, are shaking things up for media lawyers these days.

"It's interesting, they're getting new stories first," said Cummins. "I think that some forces believe it's one way to get a story told and told completely."

They not as hamstrung as the major metropolitan newspapers, which might take a considerable amount of time before deciding to publish sensitive material, she said.

"Julian gets information out there quickly, with not much editorial filter," said Cummins about Julian Assange, WikiLeaks co-founder and director.

Cummins is counsel to Investigate News Network, a non-profit start-up that helps investigative journalism non-profits throughout the United States and Canada.

"This signals a difference in the way investigative news stories have been done," she said. "In the Investigative News Network, many are experienced reporters. We need experienced investigative reporters to keep the government honest. To see non-profits springing up and giving investigative coverage, where otherwise there would be little or none, is a good thing."

She is presently defending a national business publication in its reporting on the mortgage fraud crisis in America, and a radio talk host in defense of an appeal from a judgement obtained in his favor under California's anti-SLAPP statute.

In October 2010, Cummins won an appeal in defense of a judgment in favor of a television station, arising from an investigative news story under the anti-SLAPP statute. *Anderson v. Staples*, 2010 WL 3936051.

Cummins said that she believes that outlets such as

WikiLeaks can play an important role, believing that "more information is better than less information."

"The U.S. government has some responsibility in making sure that its truly classified information doesn't get into the hands of the Julians of the world," she said. "But more than 99 percent is wrongly classified."

The government might balk at airing certain information, she said, not because it's a matter of national security, but because it's "embarrassing or shows incompetence."

"In the years I've spent fighting the government, I've found that often the information was withheld for improper reasons, not for lawful reasons," she said. "One qualification is that it might put troops in harm's way. There is a small category of information that truly shouldn't be published."

Cummins also is concerned with the Freedom of Information Act.

"It's one of the biggest challenges that journalists face," she said. "It doesn't seem that we have the momentary resources or the people resources to make it function the way it's supposed to."

As for modern technology, Cummins considers it "a blessing and a curse, adding, "There are more laws springing up to protect privacy, and that always has an implication for public information."

She noted the current debate over release of autopsy pictures.

"Part of the problem to me is that we're legislating good taste," Cummins said. "That is not where you should draw the line."

— Pat Broderick