

Gibson Quoted in *Law360* Story Titled “Justices Leave Intent Subjective In Facebook Threat Case”

Related Attorneys

Whitney C. Gibson

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Whitney Gibson, the leader of the firm’s internet defamation and online brand protection practice, was quoted in a *Law360* story titled “Justices Leave Intent Subjective In Facebook Threat Case.” The story was about a U.S. Supreme Court decision that a social media posting can’t be considered threatening if that wasn’t the author’s intent.

The story states:

“Whitney Gibson, a partner at Vorys Sater Seymour and Pease LLP and the leader of the firm’s Internet defamation and brand protection group, offered a different assessment, noting that while the majority’s decision at first glance appears to be ‘bad news for cyberharassment victims ... the decision isn’t really as bad as it looks on the surface’ because the standard it set, while narrow, could still be applied to cases similar to the one brought against Elonis.

‘Although it’s going to keep prosecutors and courts busy because of all the past convictions it affects, the Supreme Court did not let Elonis off,’ Gibson said. ‘It sent him back to the lower court, and left room for him to be convicted again if the prosecutor can show recklessness or actual criminal intent on his part.’”

To read the entire story, visit the *Law360* [website](#). (Subscription required).