

About the Author

Thomas R. Burke is a partner with Davis Wright Tremaine LLP in San Francisco where he practices media and First Amendment law. Mr. Burke defends and counsels clients (including journalists, authors, publishers, networks, studios, and Internet companies) in libel, invasion of privacy, right of publicity, and IP litigation, including Internet content liability matters. He provides production related counseling for entertainment clients and vets scripts, books and documentaries. Mr. Burke also represents clients seeking access to public records and to government proceedings. For nearly two decades, Mr. Burke taught media law at the Graduate School of Journalism, the University of California, Berkeley.

Mr. Burke has successfully used the anti-SLAPP statute hundreds of times in a variety of factual settings since the statute was enacted. He was lead defense counsel in *Taus v. Loftus*, 40 Cal. 4th 683 (2007); *Club Members for an Honest Election v. Sierra Club*, 45 Cal. 4th 309 (2008); and *Simpson Strong-Tie Co., Inc. v. Gore*, 49 Cal. 4th 12 (2010), in which the California Supreme Court interpreted the anti-SLAPP statute. Mr. Burke also represented clients in the following published anti-SLAPP matters: *Seelig v. Infinity Broadcasting Corp.*, 97 Cal. App. 4th 798 (2002); *S. B. Beach Properties v. Berti*, 39 Cal. 4th 374 (2006) (counsel for amici); *Overstock.com, Inc. v. Gradient Analytics, Inc.*, 151 Cal. App. 4th 668 (2007) (counsel for amici); *Stewart v. Rolling Stone LLC*, 181 Cal. App. 4th 664 (2010) (defense counsel); *Rivera v. First DataBank, Inc.*, 187 Cal. App. 4th 709 (2010) (defense counsel); *Young v. CBS Broadcasting, Inc.*, 212 Cal. App. 4th 551 (2012) (defense counsel); *Greater Los Angeles Agency on Deafness, Inc. v. Cable News Network, Inc.*, 742 F.3d 414 (9th Cir. 2014) (defense counsel); *Hardin v. PDX, Inc.*, 227 Cal. App. 4th 159 (2014) (defense counsel); *Abbas v. Foreign Policy Group, LLC*, 783 F.3d 1328 (D.C. Cir. 2015) (counsel for amici); *Brodeur v. Atlas Entertainment, Inc.*, 248 Cal. App. 4th 665 (2d 2016) (counsel for amici); *Baral v. Schnitt*, 1 Cal. 5th 376 (2016) (counsel for amici); *Park v. California State University*, 2 Cal. 5th 1057 (2017) (counsel for amici); *Resolute Forest Products, Inc. v. Greenpeace International*, 302 F. Supp. 3d 1005 (N.D. Cal. 2017) (defense counsel); *Cline v. Reetz-Laiolo*, 329 F. Supp. 3d 1000 (N.D. Cal. 2018) (counsel for Cline plaintiffs and defendants); *Rand Re-*

sources, LLC v. City of Carson, 6 Cal. 5th 610, 243 Cal. Rptr. 3d 1 (2019) (counsel for media amici); *Resolute Forest Products, Inc. v. Greenpeace International*, 2019 WL 8377690 (N.D. Cal.) (defense counsel); *Sonoma Media Investments, LLC v. Superior Court of Sonoma County*, 34 Cal. App. 5th 24 (1st Dist. 2019) (defense counsel); *FilmOn.com Inc. v. DoubleVerify Inc.*, 7 Cal. 5th 133, 246 Cal. Rptr. 3d 591, 439 P.3d 1156 (Cal. 2019) (counsel for amici); *Alfasigma USA Inc. v. First Databank, Inc.*, 398 Supp. 3d 578 (N.D. Cal. 2019) (defense counsel); *Planet Aid, Inc. v. Reveal, from The Center for Investigative Reporting*, 2021 WL 1110252 (N.D. Cal.), *aff'd*, 44 F. 4th 918 (9th Cir. 2022) (defense counsel); *CoreCivic Inc. v. Candide Group LLC*, 2021 WL 1267259 (N.D. Cal.), *aff'd*, 46 F. 4th 1136 (9th Cir. 2022) (defense counsel); *Geiser v. Kuhns*, 13 Cal. 5th 1238 (2022) (counsel for media amici); *Buttar v. Hearst Communications, Inc.*, 2022 WL 1215307 (N.D. Cal. 2022), 2023 WL 2989023 (N.D. Cal.), *aff'd*, 2024 WL 2874154 (9th Cir.) (defense counsel); *Stossel v. Meta Platforms, Inc.*, 634 F. Supp. 3d 743 (N.D. Cal. 2022) (defense counsel) and *Williams v. Doctors Medical Center of Modesto, Inc.*, 100 Cal. App. 5th 1117 (2024) (defense counsel). Mr. Burke was an observer and advisor to the Uniform Law Commission effort to enact the Uniform Public Expression Protection Act (“UPEPA”), a model anti-SLAPP statute, now being considered for adoption in states across the nation.

With over 35 years of trial and appellate court experience, Mr. Burke has been recognized in First Amendment and Media Law in *Best Lawyers in America* from 2003 to present and nationally since 2018 to present. In 2015, 2021, 2023 and 2025, *Best Lawyers* recognized Mr. Burke as First Amendment Lawyer of the Year for Litigation in San Francisco. He is also listed as one of “America’s Leading Lawyers for Business” in Media & Entertainment Litigation (California) by *Chambers USA*, 2003 to present and nationally since 2018. Since 2004, Mr. Burke has also been recognized by his peers as a “Super Lawyer” in First Amendment Law in Northern California. Mr. Burke is a long-time legal advisor to the First Amendment Coalition and to Reveal, from the Center for Investigative Reporting. He is also a member of the Lawyers Committee for Civil Rights of the San Francisco Bay Area.

A native of Hastings, Nebraska, Mr. Burke majored in journalism and earned his Bachelor’s degree, *magna cum laude*, in 1984 from Arizona State University and his J.D., *magna cum laude*, in 1989 from the University of San

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Francisco School of Law. Mr. Burke was an extern law clerk to the Hon. Judge Marilyn Hall Patel, of the U.S. District Court for the Northern District of California. Mr. Burke and his family live in Albany, CA, and Rio Novo do Sul, Espirito Santo, Brazil.

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