



## Guylyn Cummins

Partner

San Diego/Downtown  
501 West Broadway  
19th Floor  
San Diego, CA 92101

Tel: 619.338.6645  
Fax: 619.234.3815  
[gcummins@sheppardmullin.com](mailto:gcummins@sheppardmullin.com)

### PRACTICE AREAS

- International Business
- Entertainment, Media and Technology
- Litigation
- Intellectual Property

### INDUSTRIES

- Education
- Entertainment, Media and Technology
- Video Game

### OVERVIEW

Guylyn Cummins is a partner in the Entertainment, Media and Technology Practice Group in the firm's San Diego office.

### Areas of Practice

Ms. Cummins has spent her entire career working in media law. A seasoned litigator, she represents a broad array of media clients relating to First Amendment issues, including access issues, libel and advertising content, plus trademark and copyright fair use.

### EDUCATION

- J.D., University of San Diego, 1985, *magna cum laude*
- M.A., University of Southern California, 1982, *with honors*
- B.A., University of Nebraska, 1979, *with high distinction*

### ADMISSIONS

- California
- United States District Courts for the Central, Southern and Eastern Districts
- Ninth Circuit Court of Appeals
- United States Supreme Court

### EXPERIENCE

#### Representative Appellate Case List:

#### United States Supreme Court

- United Reporting Pub. Corp. v. Lungren  
946 F. Supp. 822, 65 USLW 2427, 97 Daily Journal D.A.R. 5837, S.D. Cal., Nov. 27, 1996
- United Reporting Pub. Corp. v. California Highway Patrol  
146 F.3d 1133, 26 Media L. Rep. 1915, 98 Cal. Daily Op. Serv. 4948, 98 Daily Journal D.A.R. 7073, 9th Cir. (Cal.), Jun 25, 1998
- Los Angeles Police Department, Petitioner, v. United Reporting Publishing Corporation, No. 98-678 (Briefing),  
528 U.S. 32, 120 S.Ct. 483, 145 L.Ed.2d 451, 68 USLW 4005, 28 Media L. Rep. 1041, 99 Cal. Daily Op. Serv. 9589, 1999 Daily Journal D.A.R. 12,377, 1999 CJ C.A.R. 6471, 13 Fla. L. Weekly Fed. S 12
- United Reporting Pub. Corp. v. California Highway . . .  
231 F.3d 483, C.A. 9, 2000.

- Press-Enterprise Company v. Superior Court  
478 U.S. 1, 106 S.Ct. 2735, 92 L.Ed.2d 1, 54 USLW 4869, 13 Media L. Rep. 1001 (Amicus Brief)

### California Supreme Court

- Copley Press, Inc. v. Superior Court  
39 Cal.4th 122, 141 P.4th 288, 48 Cal.Rptr.3d 183, 34 Media L.Rep. 2419, 06 Cal.Daily Op. Serv. 8182, 2006 Daily Journal D.A.R. 11,839 Aug 31, 2006\_
- Copley Press, Inc. v. Superior Court,  
18 Cal.Rptr.657, 21 IER Cases 1482, 04 Cal.Daily Op. Serv. 8552, 4 Daily Journal D.A.R. 11,687 (Review Granted) Dec 1, 2004
- San Diego Police Officers Assn. v. City of San Diego Civil Service Comm'n,  
2005 WL 1806953, Cal.App. 4 Dist., Aug 1, 2005 (Related Case)

### Ninth Circuit Court of Appeal

- In re Copley Press, Inc., United States v. Higuera-Guerrero  
518 F.3d 1022, 36 Media L.Rep. 1705, 08 Cal. Daily Op. Serv. 2597, 2008 Daily Journal D.A.R. 3174, Cal.App. 9 Cir., Mar 4, 2007\_
- In re United States District Court for The Southern District of California v. John Doe  
2008 WL 624751 Cal.App.9 Cir. (Cal.), Mar 4, 2008
- U.S. v. Buendia-Cabrera  
90 Fed. Appx. 481, 2003 WL 22682452 (9th Cir. (Cal)), 9th Cir. (Cal.), Nov 07, 2003
- Phillips ex re. Estates of Byrd v. General Motors Corp.  
307 F. 3d 1206, 31 Media L. Rep. 1060, 2 Cal. Daily Op. Serv. 10,397, 2002 Daily Journal D.A.R. 11,978, 9th Cir. (Mont.), Oct. 15, 2002 (Amicus Brief)

### Federal District Courts

- U.S. v. Inzunza  
303 F. Supp. 2d 1041, S.D. Cal., Feb 05, 2004
- Leventhal v. Vista Unified School Dist.  
973 Supp. 951, 121 Ed. Law Rep. 95, S.D. Cal., Jul 01, 1997
- Crowe v. County of San Diego et. al.  
359 F.Supp.2d 994, U.S. Dist. Ct. S.D., Feb 28, 2005
- California Appellate Courts
- Alvarez v. Superior Court  
154 Cal.App.4<sup>th</sup> 642, 64 Cal.Rptr.3d 854, 07 Cal.Daily Op. Serv. 10,109, 2007 Daily Journal D.A.R. 13,017 Aug 24, 2008\_
- McGarry v. Univ. of San Diego  
154 Cal.App.4<sup>th</sup> 97, 64 Cal.Rptr.3d 467, 222 Ed. Law Rep. 307, 07 Cal.Daily Op. Serv. 9612, 2007 Daily Journal D.A.R. 12, 396, Nov 14, 2007\_
- Baker v. McGraw-Hill Broadcasting Co.  
2005 WL 388587, Cal.App.4 Dist., Feb 18, 2005\_
- Copley Press, Inc. v. Superior Court  
122 Cal. App. 4th 489, 18 Cal. Rptr. 3d 657, 21 IER Cases 1482, 4 Cal. Daily Op. Serv. 8552, 4 Daily Journal D.A.R. 11,687, Cal. App. 4 Dist., Sep 16, 2004
- Annette F. v. Sharon S.,  
119 Cal. App. 4th 1146, 15 Cal. Rptr. 3d 100, 4 Cal, Daily Op. Serv. 5744, 2004 Daily Journal D.A.R. 7736, Cal App. 4 Dist., Jun 28, 2004

- AntiCancer, Inc. v. Novartis Pharmaceuticals Corp.  
2003 WL 22422415, Cal. App. 4 Dist., Oct 24, 2003
- Copley Press, Inc. v. Superior Court  
2003 WL 21055100, Cal. App. 4 Dist., May 12, 2003
- Global Laser Vision Medical Centers., Inc. v. KSWB, Inc.  
2003 WL 1194115, Cal. App. 4 Dist., Mar 17, 2003
- South Coast Newspapers, Inc. v. Superior Court  
85 Cal. App. 4th 866, 102 Cal. Rptr. 2d 487, 29 Media L. Rep. 1119, 00 Cal. Daily Op. Serv. 10,142, 2000 Daily Journal D.A.R. 13,601, Cal. App. 4 Dist., Dec 21, 2002
- Damon v. Ocean Hills Journalism Club Damon v. Ocean Hills Journalism Club  
85 Cal. App. 4th 468, 102 Cal. Rptr. 2d 205, 00 Cal. Daily Op. Serv. 9925, 2000 Daily Journal D.A.R. 13, 185, Cal. App. 4 Dist., Dec 13, 2000.
- Melaleuca, Inc. v. Clark  
66 Cal. App. 4th 1344, 78 Cal. Rptr. 2d 627, 98 Cal. Daily Op. Serv. 7525, Cal. App. 4 Dist., Sep 29, 1998
- KNSD Channels 7/39 v. Superior Court  
63 Cal. App. 4th 1200 74 Cal. Rptr. 2d 595, 26 Media L. Rep. 2002, 98 Daily Journal D.A.R. 5031, Cal. App. 4 Dist., May 13, 1998
- Copley Press, Inc. v. Superior Court  
63 Cal. App. 4th 367, 74 Cal. Rptr. 2d 69, 125 Ed. Law Rep. 173, 26 Media L. Rep. 1948, 98 Cal. Daily Op. Serv. 2981, 98 Daily Journal D.A.R. 4033, Cal. App. 4 Dist., Apr 20, 1998
- Poway Unified School Dist. V. Superior Court (Copley Press)  
62 Cal. App. 4th 1496, 73 Cal. Rptr. 2d 777, 125 Ed. Law Rep. 165, 26 Media L. Rep. 1943, 98 Cal. Daily Op. Serv. 2736, 98 Daily Journal D.A.R. 3738, Cal. App. 4 Dist., Apr. 13, 1998
- Church of Scientology v. Wollersheim  
42 Cal. App. 4th 628, 49 Cal. Rptr. 2d 620, 96 Cal. Daily Op. Serv., 773, 96 Daily Journal D.A.R. 1162, Cal. App. 2 Dist., Feb 01, 1996 (Amicus Brief)
- In re San Diego Commerce  
40 Cal. App. 4th 1229, 47 Cal. Rptr. 2d 303, 24 Media L. Rep. 1276, 95 Cal. Daily Op. Serv. 9348, 95 Daily Journal D.A.R. 16, 247, Cal. App. 4 Dist., Nov. 16, 1995

## HONORS

- Recognized as one of the "Top Women Litigators in California" by the Daily Journal, 2005, 2006, 2008 and 2009
- Recognized, First Amendment Litigation & Counseling, Legal 500, 2009
- Listed in The Best Lawyers in America since 1997
- Recognized as one of California's leading media and entertainment lawyers in Chambers USA, America's Leading Business Lawyers and has many published legal decisions on First Amendment issues, 2006, 2007, 2008 and 2009
- Named to "The Lawdragon 500 New Stars, New Worlds" and "Best Lawyers in America" lists
- San Diego Super Lawyer, 2008, 2009

## MEMBERSHIPS

- Member, Governing Board of the American Bar Association Forum on Communications Law

- Held many committee chair positions, Media Law Resource Center
- Member, numerous media organizations throughout California and the nation

#### **ARTICLES**

- Can Intentional or Knowingly Reckless Misuse of Copyrighted Material Be Considered “Fair Use?”, *Communications Lawyer*, Volume 26, Number 3, July 2009
- An Advertising Face-Off, *Los Angeles Daily Journal*, April 28, 2009
- Many Hope to Bring the Fairness Doctrine Back From the Dead, *Los Angeles Daily Journal*, March 11, 2009
- A New Game Plan, *Los Angeles Daily Journal*, March 3, 2009
- Guylyn Cummins Fights to Protect Journalists and the Public, *San Diego Metropolitan*, June 1, 2008
- Top 75 Women Litigators, *Daily Journal*, May 14, 2008
- Guarding the Fourth Estate, *Southern California Super Lawyer*, June 1, 2007

#### **Intellectual Property Law Blog Articles**

- "Federal Appeals Court Strikes Down California Law Banning the Sale or Rental of "Violent Video Games" To Minors", February 25, 2009

#### **SPEECHES**

- Speaker, National Press Club Forum, San Diego State University, August 2008
- Lectured extensively and taught media law as an adjunct professor at California Western School of Law

#### **EVENTS**

- Legal Frontiers in Digital Media