

SAMPLE DISCOVERY TEMPLATES FOR SOCIAL MEDIA EVIDENCE

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SAMPLE DEPOSITION QUESTIONS

Q: Does your company have a social media site, which company employees can use to post or exchange information?

- What is the name of the site?
- If we wanted to see the information placed on the company social media site, what would be the best way to see it?
- Are there private postings or communications that are private or only viewable by employees?
 - Do I have your permission, without a court order, to see what you have posted there?

Q: Do you have any social media account where you post persona information about yourself?

- Which ones do you use?
 - Have you had other social media accounts that you no longer use?
- What name(s) do you use for yourself for your social media account(s)?
- If we wanted to see the information you post on your social media account(s), what would be the best way to see it?
- Do I have your permission, without a court order, to see what you have on you social media account(s)?

Q: Have you ever posted comments in any Internet blog?

- Was it a personal blog, company blog or something else?
- What was the name(s) of the blog(s)?
- What was the subject matter?
- When did you do the blogging?
- What name(s) did you use?
- If we wanted to see the information you put on this blog, what would be the best way to find it?

SAMPLE INTERROGATORIES FOR SOCIAL MEDIA DISCOVERY

SAMPLE INTERROGATORY NO. 1: State the name, web address, and user name for all blogs, online forums, and social networking websites that [Plaintiff/Defendant] has belonged or had membership to from [_____] to the Present.

SAMPLE INTERROGATORY NO. 2: Identify the user name and email address for any Facebook account used by YOU from [_____] to the Present.

SAMPLE INTERROGATORY NO. 3: Identify the user name, registration information, account detail, login information, and any other identifying information for any job board or job search websites for which YOU are (or were) a member, including but not limited to : Hot Jobs, Career Building, Monster, job.com and salesjobhunter.com from [_____] to the Present.