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Newsroom

Stravato '11 Takes On Facebook

Edward Stravato '11 says Facebook's tracking of logged-off subscribers violates its own policies. Now, with the help of Adjunct Professor Mark Mandell, he's suing.

From the Providence Journal: "[Johnston lawyer sues Facebook over privacy](#)" by Gregory Smith,

Journal Staff Writer



PROVIDENCE, December 18, 2011 — On his personal Facebook page, lawyer **Edward Stravato [RWU Law '11]** lists some of his interests and favorite movies and posts photographs.

Although he is on Facebook, the dominant Internet social-networking site, which links participants with their "friends," Stravato does not find Facebook to be very friendly.

He dislikes its privacy practices so much that he has filed [a federal class-action lawsuit against Facebook](#) [he is represented by RWU Law Adjunct Professor and BOD Chair Mark Mandell].

Stravato accuses Facebook of invading his privacy, violating federal and state antiwiretapping statutes and the Rhode Island Deceptive Trade Practices Act, breach of contract, and unjustly enriching itself at the expense of himself and other people like him who post on Facebook.

The suit, filed Tuesday, targets Facebook's apparent practice of tracking and recording its users' Internet movements when they are logged off from Facebook. Stravato contends that the practice contradicts Facebook's stated policy to subscribers.

He wants financial damages and a court order that Facebook no longer intercept electronic information from its users when the users are logged off.

The suit quotes a letter from two congressmen to the chairman of the Federal Trade Commission in which they say Facebook admitted “collecting information about its users even after its users had logged out of Facebook.”

Stravato complained in the suit, “Plaintiff did not give consent or otherwise authorize Facebook to intercept, track, collect and store his wire and/or electronic communications while he was not logged in to Facebook.” He acknowledged that one of Facebook’s conditions of use, however, is that Facebook may do such tracking when a user is logged in.

Stravato, 25, of 35 S. Bennett Drive, Johnston, **a graduate of the Roger Williams University School of Law**, is a lawyer at Quinlan law offices.

On his Facebook page he lists among his interests DJ Pauly D, Johnston Mayor Joseph M. Polisena and the TV reality show “Amazing Race.” Movies that he likes, among others, are “Naked Gun,” “GoldenEye” and “Full Metal Jacket.” And the page shows he has been “friended” by 684 people.

Stravato referred questions about his Facebook page and the suit to his lawyer, Mark S. Mandell, who could not be reached for comment.

Facebook, based in Palo Alto, Calif., has not submitted in court a formal reply to the complaint. But it has said that it keeps track of logged-out users to compile aggregate statistics, prevent spam and hacking attacks and to help keep users from having to go through extra authentication steps every time they log on.

By attaching identifiers to users’ Internet browsers when they are logged in, Stravato says in the suit, Facebook can identify individual users even when they are logged off.

Marc Rotenberg, executive director of the Electronic Privacy Information Center, complained in a letter to the FTC last year, “Facebook continues to manipulate the privacy settings of users and its own privacy policy so that it can take personal information provided by users for a limited purpose and make it widely available for commercial purposes.”

Facebook last month tentatively settled complaints by the FTC, which alleged that Facebook allowed access by advertisers and others to users’ personal information although it promised to protect users’ privacy. Facebook agreed to obtain users’ consent before changing its privacy policies and subject itself to independent reviews of its practices for 20 years.

An FTC investigation that preceded the tentative settlement arose in part from a complaint by the Electronic Privacy Information Center.

Stravato asks that a judge declare him to be a member of a class of people who potentially would be eligible to win damages and the protection of a court order. The class would be other Rhode Islanders who subscribe to or formerly subscribed to Facebook and whose Internet information was "intercepted by Face-book," as Stravato phrased it, when they were not logged on.

For full story, click [here](#).