

**MICKEY H. OSTERREICHER, ESQ.**  
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**EMPLOYMENT:**

**Of Counsel**, Finnerty Osterreicher & Abdulla **2019 - Present**  
Media and First Amendment Law with concentration on the defense and representation of news and entertainment media organizations in defamation, privacy, newsgathering, access and related First Amendment litigation in federal and state trial and appellate courts.

**General Counsel**, National Press Photographers Association (NPPA) **2006 - Present**  
Provide legal counsel and advocacy regarding copyright, First Amendment and press access issues. Work closely with board, members and other professional organizations to raise free press issues and awareness. Interceded in numerous press access cases on behalf of journalists and provided extensive education/training regarding constitutional issues to law enforcement agencies throughout the country.

**Of Counsel**, Hiscock & Barclay, LLP/Barclay Damon LLP **2011 – 2019**  
Media and First Amendment Law Practice in the firm's Buffalo, NY office with concentration on the defense and representation of news and entertainment media organizations in defamation, privacy, newsgathering, and related First Amendment litigation in federal and state trial and appellate courts.

**Attorney**, Sole Practitioner **1999 – 2006**  
General practice with concentration in Media and First Amendment law.

**Staff Photographer/Reporter/Producer**, WKBW-TV, ABC Affiliate **1982 – 2004**  
Videotape, write, produce and edit news, sports, investigative, feature and documentary stories for daily broadcast covering local, state and national stories.

**Staff Photographer**, Buffalo Courier-Express **1973 – 1982**  
News, sports, feature assignments for daily publication. Acting photo editor, 1980 - 1982.

**Freelance Photographer/Videographer/Visual Journalist/Field Producer** **1970 – Present**  
Assignments for and publication in and broadcast on Time, People Us, Stern Magazines; New York Times, New York Daily News, USA Today; ABC World News Tonight, Good Morning America, Nightline; ESPN, NBS Nightly News, CNN

**PROFESSIONAL ACTIVITIES & COMMUNITY INVOLVEMENT:**

- IACP – Legal Officers Training Section 10/18
- IACP – Public Information Officers Training Section 10/17

- Trainer – Right to Photograph & Record, Erie County Sheriff’s Office, 2/16
- Panelist – NJ Press Association Press News Law Project, Rutgers 2/16
- Stakeholder & Participant – NTIA Privacy Best Practices for UAS Use, 9/15 – 5/16
- Speaker & Moderator – Right to Photograph & Record, Houston PIO, 9/15
- IRE panelist Subpoena and Shield Law session, Philadelphia, 6/15
- Speaker & Moderator – Right to Photograph & Record, Dallas LEA, 10/14
- Speaker & Moderator – Right to Photograph & Record, LAPD, 4/14
- Speaker & Moderator – Right to Photograph & Record, Dan Diego PD, 4/14
- Member of WHCA media access committee, met with WH Press Sec, 2/14
- Speaker – Right to Photograph & Record, National Sheriffs Association, 1/14
- Panel Moderator – Right to Photograph & Record, ACLU Broward County 1/14
- Panel Moderator – Right to Photograph & Record, National Press Club, 10/13
- Speaker – Legal Officers Section, International Association of Chiefs of Police, 5/13
- Speaker – Right to Photograph & Record, National Sheriffs Association Annual 6/13
- Speaker – The Constitutional Right to Photograph & Record, Georgia Chiefs of Police Winter Training Workshop 2013, Athens GA
- Panel Moderator – The Right to Photograph & Record in Public, ABA Communications Law Forum Advocacy Workshop 2013, Dana Point, CA
- Speaker – Surveilling First Amendment Activities from Drones to Exclusion Zones, International Association of Chiefs of Police, Annual meeting 2012, San Diego, CA
- Panelist – Police, Protests, and Press Coverage, Council for Court Excellence, 2012, Washington, DC
- Conducted police training in Washington, D.C., Chicago, Tampa, Buffalo and Charlotte, Cleveland and Philadelphia on police-press relations and constitutional rights 2012 -2016
- Panelist – Telltale Lenses, 2012 FOI Summit, NFOIC, Madison, WI
- Panelist – Know Your Rights: Media access to crime scenes and news events, SPJ Region 1 Conference, Stony Brook, NY, 2012
- Speaker – Ongoing Assault on Photography, National Press Club, 2012
- Panelist – Media Law in the Digital Age, Is Recording in Public a Crime? Mobile Devices and Newsgathering, Kennesaw State University, 2011
- Active member of the New York State Bar Association Media Law Committee
- Active member of the ABA Communications Law Forum
- Active member of the MLRC Newsgathering Committee
- Member of the National Press Club
- Erie County Sheriff’s Department Scientific Staff Reserve Deputy 1976 – Date
- Adjunct lecturer in photojournalism, SUNY at Buffalo
- Adjunct law professor in media and the law, UB Law School
- Photojournalistic work has been broadcast on ABC, NBC Nightly News, Inside Edition, American Journal, A&E’s Biography and ESPN
- Published pictures, stories, quotes: AP, Time, People, Newsweek, NY Times, USA Today, Harvard Law & Policy Review, The Buffalo News, NY Law Journal, NPPA Magazine, MLRC Quarterly Magazine, The Atlantic Wire, Columbia Journalism Review, MSNBC.com, JPG.com

## **HONORS:**

- Erie County Sheriff's Dept. Badge & Shield Club 2017 Reserve Deputy of the Year
- SPJ 2015 Fellow of the Society, highest professional honor given for extraordinary contribution to the profession.
- NPPA 2013 Joseph A. Sprague Memorial Award, highest honor given by the association
- Erie County Bar Assoc. 2002 Liberty Bell Award for outstanding community service
- Erie County Sheriff's Dept. Badge & Shield Club 1994 Reserve Deputy of the Year
- Buffalo Fire Department 1993 Commissioner Citation for exemplary community service
- Numerous regional and national awards from the NPPA and the Associated Press

## **BAR ADMISSIONS, EDUCATION & PROFESSIONAL ORGANIZATIONS:**

- U.S. Court of Appeals for the Second Circuit **2019**
- U.S. Court of Appeals for the Fourth Circuit **2018**
- International Association of Chiefs of Police, member of Public Recording of Police **2015**
- MLRC, member of newsgathering committee, co-chair drone subcommittee **2014**
- International Law Enforcement Educators and Trainers Association (ILEETA) **2013**
- American Bar Association Copyright Law Committee, Co-Chair Fair Use Subcomm **2013**
- American Bar Association Communications Law Forum (Governing Board) **2007**
- United States Supreme Court **2005**
- New York State Bar Association Media Law Committee **2002**
- U.S. Federal Court for the Western District of New York **2000**
- New York State Bar **1999**
- Juris Doctor, cum laude, University of Buffalo Law School **1998**
- B.S. in Photojournalism/Photography, cum laude, SUNY at Buffalo **1973**