

"Roommate Issues: Section 230 Immunity in the 9th Circuit," Los Angeles Daily Journal

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In this article, which is the October 2011 “Content Matters” column in the *Los Angeles Daily Journal* and *San Francisco Daily Journal*, Jenner & Block Partner Andrew J. Thomas and Law Clerk Jonathan D. Weiss analyze the 9th Circuit’s interpretation of the protection afforded by Section 230 of the federal Communications Decency Act (CDA), to providers or users of an interactive computer service, for publication-based tort claims based on actionable content provided by a third party. Mr. Thomas and Mr. Weiss trace the court’s early decisions, which interpreted Section 230 as conferring broad immunity on websites, to its narrowing of the protection in 2008, in *Fair Housing Council v. Roommates.com*. However, the authors show that the *Roommates* result was, itself, narrowly construed in later cases, concluding that the consensus today, in the 9th Circuit and elsewhere, embraces “a broad reading of Section 230 immunity” and “that *Roommates.com* was not the sea change in CDA immunity that many had feared.”

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