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Plaintiffs, Save Your Facebook Page: Spoliation Ruling Will Aid Employers

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In a recent ruling, the United States District Court for District of New Jersey held that a plaintiff's deletion of his Facebook account in a personal injury action warranted an adverse inference against the plaintiff based on his failure to preserve the account. As set forth below, this ruling has significant ramifications for employers because, in essence, it confirms that social media access is discoverable in actions where plaintiffs allege injuries related to their physical and/or social activities.