Honigman’s Data Security and Privacy Litigation practice group helps clients develop effective solutions that protect and manage information assets, comply with complex and rapidly changing areas of law, respond to data breach and other security incidents, and respond to claims of privacy violations. Our cross-disciplinary team has extensive experience and skill as litigators, technology professionals, and regulatory and investigative lawyers. We combine this with our substantive knowledge of data security, privacy regulations, and information security laws that govern the collection, use, and protection of personal information.

Planning and Structuring Advice

Our team helps organizations prepare for potential data breaches by providing a counsel-led review of known—and potential discovery of unknown—past breaches and proposing solutions. We are able to supervise the preparation of the organization’s systems architecture and assist with any vendor selection. We also create response plans that combine a legal component with the technical to ensure that we achieve the right balance between maintaining privilege rights and the need to work with regulators.

Data Breach Investigation and Response

We investigate the scope and cause of data breaches and coordinate the response. We also work with organizations to identify the appropriate consultants to assist in the investigation of the particular data breach, coordinate the internal IT professionals with the consultants, control the scope of the investigation, and prepare an appropriate response in anticipation of litigation. Our lawyers are familiar with the myriad state and federal disclosure and reporting laws that are constantly changing, and our team takes into account those laws—along with ongoing litigation, future litigation, and customer relations considerations—when responding to a breach. We consider the legal impact of an organization’s customer relations efforts, and we also keep in mind the impact of the IT changes that will occur within the company’s business units.

Litigation

Should litigation occur, we aggressively defend our clients, including in class actions on both the state and federal level related to negligence, privacy statutes, credit monitoring claims, state response statutes, attorneys’ fees, and more.

Privacy in the Workplace

Privacy laws limit an employer’s ability to obtain, use, and disclose particular information throughout the employment process, yet they are required to obtain private information at the same time. Our lawyers can counsel employers through privacy and data protection issues and draft privacy policies and procedures.

Related Resources:

- Cross-Border Data Transfers
- General Data Protection Regulation Fact Sheet
Data Security and Privacy Litigation (Cont)

- General Data Protection Regulation Readiness Assessment
- New York Minimum Cybersecurity Requirements for Financial Services Companies Overview and Requirements Summary
- The Impact of Brexit on the General Data Protection Regulation in the United Kingdom

Our Practice Includes:

- Cybersecurity and Privacy
- e-Discovery and Information Management
- Intellectual Property
- Technology Transactions