

Julian Ackert

iDiscovery Solutions, Washington, DC

Julian, a Managing Director at iDiscovery Solutions (iDS) in Washington DC, has over 20 years of consulting and complex matter management experience in the technology and litigation industries. He has extensive experience with forensic data collection, computer forensic analysis, creating and implementing preservation and collection strategies, managing electronic data processing and review endeavors, analyzing complex transactional data systems, and working with large multi-national corporations to establish and develop methodologies and best practices for litigation preparedness. Julian has written expert reports and provided testimony on the forensic preservation, acquisition, and analysis of electronic information. Additionally, he has worked on several international projects involving complex data privacy, collection, and review challenges.

Alexander Altman

Arnold & Porter Kaye Scholer LLP, New York, NY

As a Senior Associate in Arnold & Porter's Privacy, Cybersecurity & Data Strategy practice, Alex works with clients across industries to develop and assess privacy and cybersecurity programs, respond to data breaches, conduct internal investigations, and litigate privacy-related claims. Among many other matters, Alex has counseled clients on compliance with biometric privacy laws, including the implementation of facial recognition technology. He is keenly interested in emerging technologies and how they drive legal and societal change. Alex is a proud graduate of Vassar College and Fordham University School of Law, is admitted to practice law in New York, and has a pending admission to the California bar.

Mark T. Bailey

Office of the Colorado Attorney General, Denver, CO

Mark joined the Consumer Protection Section of the Colorado Attorney General's Office in 2010. Mark enforces the Colorado Consumer Protection Act, investigating and bringing cases involving false advertising, identity theft, and other deceptive trade practices. Since 2014, Mark has been the front-line leader of the Attorney General's

enforcement of Colorado's privacy and data security laws. Prior to that, Mark was an associate at Reilly Pozner LLP for four years, and clerked for Justice Nancy E. Rice of the Colorado Supreme Court. Mark graduated with High Distinction from the University of Iowa College of Law in 2005.

Kate Baxter-Kauf

Lockridge Grindal Nauen PLLP, Minneapolis, MN

Kate is an attorney at Lockridge Grindal Nauen PLLP in Minneapolis, MN, where she represents individuals, consumers, and financial institutions in plaintiffs' side data breach litigation, in addition to cybersecurity and privacy counseling, and antitrust, consumer, securities, and ERISA class actions. She has litigated on behalf of data breach plaintiffs in federal and state courts across the country, and has particular expertise in the areas of plaintiffs' side discovery and attorney client privilege disputes. Kate currently serves as court-ordered liaison counsel on behalf of plaintiffs in ERISA litigation regarding the price of EpiPens, and has argued numerous discovery disputes and dispositive motions for class and data breach plaintiffs. She has been recognized as a North Star Lawyer every year since 2015 by the Minnesota State Bar Association for her commitment to pro bono work on behalf of indigent criminal defendants. In 2018, she was named a Top Lawyer Under 40 by Law360 in the area of Cybersecurity & Privacy.

Andrea L. D'Ambra

Norton Rose Fulbright US LLP, New York, NY

Andrea is a partner in the New York office of Norton Rose Fulbright, where she heads the EDiscovery and Information Governance Group for the United States. Her practice focuses on eDiscovery, information management, data privacy, and cross-border discovery. Andrea counsels clients on preservation and data management issues, and has drafted information governance and records management policies for a number of multinational companies. In addition to counseling, she has assisted clients in navigating foreign data privacy laws while complying with U.S. discovery obligations. Andrea served for over seven years as an officer in the United States Navy. Her diverse Naval experience includes serving as an action officer for high-profile

investigations within the Bureau of Naval Personnel and managing the administrative and legal issues of the Navy's computer network defense command. Andrea also is an adjunct professor of law at Temple Law School and William and Mary School of Law, where she teaches classes on Electronic Discovery. She received her B.S. in Political Science from the United States Naval Academy and her J.D. from William and Mary School of Law.

Brett Doran

Greenberg Traurig LLP, Chicago, IL

Brett is a shareholder in the Chicago office of Greenberg Traurig LLP. He focuses his practice on class action and consumer defense, product liability and privacy litigation in federal and state courts. Brett has handled data breach litigation, litigation and settlement negotiation on matters involving the Illinois Biometric Information Privacy Act (BIPA), the Telephone Consumer Protection Act, the Federal Trade Commission Act and other federal and state laws. Brett also advises clients on BIPA and other biometric laws, privacy issues and eDiscovery matters.

Starr Turner Drum

Maynard Cooper & Gale, Birmingham, AL

Starr leads the privacy division of the Cybersecurity & Privacy practice group at Maynard, Cooper & Gale. She assists clients with everything from developing globally-compliant privacy programs to defending privacy-focused litigation and regulatory investigations. Starr has successfully developed hundreds of internationally compliant privacy and information governance plans across several sectors and has served as privacy due diligence counsel on over \$10 billion in private equity and M&A-related transactions. Starr has also defended numerous state and federal privacy class action and security breach cases and regulatory investigations. She is often invited to speak on emerging privacy issues, such as AI, biometrics, and marketing and data analytics. She also serves as an Adjunct Professor at The University of Alabama School of Law where she teaches privacy and data security.

Serge D. Jorgensen

The Sylint Group, Sarasota, FL

Serge serves as the Chief Technology Officer for the Sylint Group and provides technical input in the areas of information security, data forensics and incident response. He has received patents in engineering and math-related fields while developing secure, low-bandwidth data transmission techniques and methodologies. Serge works closely with the FBI and industry groups in addressing forensic and information security needs to safeguard critical infrastructure processes and components. In this work, he is responsible for developing and implementing secure communication protocols, traffic analysis techniques, malware identification, and remediation efforts. Serge works nationally and internationally to mitigate the effects of malicious attacks against corporate and government enterprises, is a published author, and a vice-chair of the ABA's Electronic Discovery and Digital Evidence committee.

David Paul Kalat

Berkeley Research Group LLC, Chicago, IL

David is an information scientist and a testifying expert in electronic evidence, digital forensics, data analytics and information security. He is a licensed private detective, and the author of numerous publications on the history of information technologies. He leads the Chicago digital forensics lab for BRG's Global Investigations + Strategic Intelligence practice group. He has been qualified as an expert in electronic evidence and digital forensics in civil and criminal matters, in state and U.S. federal courts. David has testified in bench and jury trials, in class certification hearings, arbitrations, preliminary injunction hearings and in spoliation disputes. He has frequently testified in putative class actions involving data privacy laws.

David J. Ko

Federal Bureau of Investigation, Houston, TX

Special Agent David Ko joined the FBI as an agent in 2010. Previously, he had worked as an FBI intelligence analyst and as a scientist researching neurobiology. David has worked on squads investigating organized crime,

violent crime, and cyber. He maintains a number of certifications in forensics, incident response, and hacker tools and techniques. David is also a member of the FBI's SWAT team and a certified sniper.

Ted Kobus

BakerHostetler, New York, NY

Ted is the firmwide chair of BakerHostetler's Digital Assets and Data Management Group and a member of the firm's Policy Committee. He stands at the forefront of cyber protection - no small role in an era defined by crippling data breaches and daily digital threats. He has earned authority in the areas of privacy, data security and cybersecurity, leading clients to entrust him with more than 8,000 data breach responses. Businesses, government and other organizations turn to Ted for sound advice on compliance, developing response strategies, breaches implicating domestic and international laws, and defense of both class action litigation and regulatory actions. Notably, he has developed key relationships with the U.S. Department of Justice (DOJ), where he and his team have helped to establish protocols to protect corporate victims following a data breach. He knows the most proactive regulators involved in this space and interacts with them regularly. Ted has led the defense to hundreds of regulatory investigations. In the healthcare space, Ted has defended more than 300 OCR investigations and has negotiated more privacy/security-related resolution agreements than any other lawyer.

Anderson Lunsford

BreachRx, Fayetteville, AR

Andy is CEO and Founder of BreachRx, a technology company that automates privacy incident and breach response. Prior to founding BreachRx, Andy spent 15 years working in privacy law and large-scale commercial litigation. Andy has a BA from Washington and Lee University, a JD from the University of Arkansas, and an MBA from the Wharton School of the University of Pennsylvania.

Tom McMasters

Self-Employed, San Jose, CA

Tom is a technology attorney who advises on incident response and cybersecurity, data governance/GRC, and other aspects of international privacy and product compliance for clients in industries ranging from artificial intelligence to life sciences. In contested proceedings regarding remotely-proctored online testing at the college entrance, university, and professional licensure levels, Tom has served as a consulting expert for advocacy groups and individuals on technical and legal issues such as data security, privacy, facial detection/recognition, and AI/automated decision-making; and has been quoted on these topics in several popular legal publications. Tom has an M.S. in Computer Science and holds the Certified Information Systems Security Professional (CISSP) cybersecurity certification. He is a cum laude graduate of the University of Michigan Law School, and is licensed in California and North Carolina.

Douglas Meal

Orrick Herrington & Sutcliffe LLP, Boston, MA

Doug defends clients targeted by litigation and government investigations stemming from major privacy and cybersecurity incidents. According to Chambers USA 2017, companies select Doug because he is “regarded by market sources as the leading privacy litigator in the USA.” As the lead outside lawyer handling claims stemming from the data security breaches suffered by Target, Neiman Marcus, The Home Depot, Hilton Worldwide, Landry’s, Arby’s, Supervalu, Sally Beauty, Sony, Heartland Payment Systems, TJ Maxx, Hannaford Brothers, Aldo, Genesco, and Wyndham Hotels—some of the most highly publicized data security breaches in recent years—Doug has become the national leader in defending companies that suffer significant cybersecurity breaches involving consumer information against the ensuing claims and regulatory investigations. Doug’s recent successes include leading the team that prevailed in the closely-watched *LabMD v. FTC*, convincing the U.S. Court of Appeals for the Eleventh Circuit to become the first court ever to overturn a cybersecurity enforcement action by the Federal Trade Commission.

David Moncure

DaVita, Denver, CO

David is VP / Associate General Counsel Information Lifecycle Governance for DaVita. He oversees all aspects of information governance and eDiscovery globally for DaVita as well as assisting with data security and protection compliance. Prior to joining DaVita, David served as International eDiscovery and Data Privacy Counsel for Shell Oil Company. He advised Shell businesses and functions on international eDiscovery issues, data breach response situations, IT security, and various other data privacy and cybersecurity related issues. He began his practice at Norton Rose Fulbright, where he assisted clients with eDiscovery, information governance, and data privacy issues. David's practice spans work throughout the US, EU, Latin America, Middle East, and APAC. He is a frequent speaker and author of numerous articles on eDiscovery and data protection issues, particularly on cross-border issues. David is Chair Emeritus of the Steering Committee of The Sedona Conference Working Group 11 on Data Security and Privacy Liability (WG11) and also is an active member of Working Group 1 on Electronic Document Retention and Production (WG1) and Working Group 6 on International Electronic Information Management, Discovery and Disclosure (WG6).

Patrick Murphy

Ankura Consulting Group, LLC, Philadelphia, PA

Patrick is a Senior Managing Director at Ankura based in Philadelphia with an expertise in cybersecurity, data privacy, and strategy. Patrick was America's first Iraq War veteran elected to the U.S. Congress and served on the Appropriations, Armed Services, and Select Intelligence Committees. Patrick later served as the 32nd Under Secretary of the U.S. Army and Acting Secretary, and currently serves as a Commissioner on the U.S. Cyberspace Solarium Commission. Patrick's two-decade legal experience includes practice as a litigation partner at two AmLaw 100 firms and service in the U.S. Army Judge Advocate General Corps, where he served two combat operational deployments and advisor at the strategic, operational, and tactical echelons. Patrick serves on several public boards and is the Distinguished Chair of Innovation at the United States Military Academy at West Point. He is also the founder of an award-winning television and film production company, Taking the Hill Productions, which specializes in bringing to life military and veteran projects, honoring over 22 million American Veterans.

Tony O'Neill

Commonwealth of Massachusetts, Boston, MA

Tony is the Chief Risk Officer & Special Counsel at the Commonwealth of Massachusetts Executive Office of Technology Services & Security. As the State's lead IT agency, the executive team is responsible for planning, development, communications and implementation of the Commonwealth's digital transformation, including enhancing data security, safeguarding privacy and improving service delivery to the end user. Tony focuses his practice on complex disputes, antitrust, information security, data privacy and eDiscovery strategy. Tony built the Commonwealth's first enterprise eDiscovery program which provides eDiscovery professional services to all executive branch agencies and independent government agencies in Massachusetts. In his current role he is charged with developing, refining, scaling and running the enterprise risk management and privacy programs for the Commonwealth of Massachusetts and ensures their operational efficiency. On an ongoing basis he provides operational risk management for value creation and protection and serves as an internal advisor to organizational governance and leadership.

Kaleigh Powell

Tousley Brain Stephens PLLC, Seattle, WA

Kaleigh is an Associate at Tousley Brain Stephens in Seattle, Washington, where her practice focuses on class action and commercial cases. Before starting at Tousley Brain Stephens, Kaleigh clerked for the Honorable Robert H. Cleland in the Eastern District of Michigan. She is the author of "A Nuanced Approach": How Washington Courts Should Apply the Filed Rate Doctrine, 92 Wash. L. Rev. 481 (2017), which was quoted with approval in *Harvey v. Centene Management Co. LLC*, 357 F. Supp. 3d 1073, 1084 (E.D. Wash. 2018).

Cole Rabinowitz

Paul Weiss, New York, NY

Cole is an Associate at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, focusing his practice on data privacy issues, white collar criminal defense, and an array of governmental investigations and enforcement

matters. His experience also includes frequently advising organizations on questions of compliance and regulatory risk under federal and state data privacy laws. Cole previously spent time with the U.S. Attorney's Offices for the Southern and Eastern Districts of New York, assisting with multiple cyber-related trials and investigations during his time as a Cybersecurity Scholar at NYU School of Law.

Prof. Brian Ray

Cleveland-Marshall College of Law, Cleveland, OH

Brian has extensive experience in eDiscovery, information governance and data privacy. He and Candice Hoke founded and co-direct the Center for Cybersecurity and Privacy Protection. They also are co-editors of the Center-sponsored SSRN Cybersecurity, Data Privacy and eDiscovery Law and Policy eJournal. Brian also co-founded, with Tim Opsitnick of JurInnov, the Cleveland eDiscovery Roundtable, an informal group of lawyers, judges and academics that meets monthly to discuss issues surrounding electronic discovery, cybersecurity and data privacy issues. In 2016 Ohio Attorney General Mike DeWine appointed Brian to the CyberOhio Advisory Board. He co-chairs the Northeast Ohio CyberConsortium's Workforce Development Committee and is a member of The Sedona Conference Working Group on Data Security and Privacy Liability (WG11). Brian also is an expert in comparative and international law. His book, *Engaging with Social Rights: Participation, Procedure and Democracy in South Africa's Second-Wave* provides a comprehensive analysis of the South African Constitutional Court's social rights decisions. He was a Fulbright Scholar in South Africa and has published extensively on comparative constitutional law and social rights.

Sara E. Romine

AT&T Services Inc., Dallas, TX

Sara focuses her practice on data privacy and security issues and complex commercial disputes. She is currently an Assistant Vice President and Senior Legal Counsel with AT&T Services, Inc.

Alfred Saikali

Shook, Hardy & Bacon L.L.P., Miami, FL

Al is a partner in Shook, Hardy & Bacon's Miami office. He is a founder and co-chair of the firm's Data Security and Data Privacy Practice group. Al specializes in U.S. and international data privacy and security compliance and plays a key role in assisting companies minimize their risks associated with the collection, use, storage, and disposal of sensitive information. He also directs data breach response efforts, advises companies of applicable laws, leads their internal investigations, communicates with law enforcement and regulators, and helps to minimize negative effects in the event of a breach. Al maintains the blog, Data Security Law Journal, which focuses on data security and data privacy law. He is a Certified Information Privacy Professional and is often cited by the media about issues relating to data security, data privacy, technology, and commercial litigation.

Harper Segui

Milberg Coleman Bryson Phillips Grossman LLP, Mt. Pleasant, SC

Harper is a Practice Leader of Milberg's Consumer Products Group, as well as the Data Breach, Cyber Security & Biometric Group. She is an experienced litigator who focuses her practice on representing consumers in complex class action litigation, including defective products, false advertising and mislabeling, and data breaches. Harper has actively led a variety of complex cases across the country, having been instrumental in procuring millions of dollars in recoveries for plaintiffs and class members. In addition to individual class actions, she has enjoyed playing active roles in multidistrict litigation and has several times been appointed by courts to serve on Plaintiffs' Steering Committees. She was recently appointed as Co-Lead Counsel in In Re: Blackbaud, Inc., Customer Data Breach Litigation, 3:20-mn-02972-JMC, MDL No. 2972 (D.S.C.), and In Re: All-Clad Metalcrafters, LLC, Cookware Marketing and Sales Practices Litigation, 2:21-mc-491-NR, MDL No. 2988 (W.D. Pa.).

Joe Shepley

Ankura Consulting Group, LLC, Oak Park, IL

Joe has been involved in information management for over 20 years, both as a businessperson and a consultant. He has worked across a range of industries, from financial services, insurance, and energy to life sciences, health care, and manufacturing. He understands how good information governance allows organizations to achieve business goals and reduce risk. Joe focuses on helping clients define the costs of poor information governance and articulate the tangible business benefits that come from managing information properly. He is a frequent speaker at industry events (AIIM, ARMA, OpenText, IBM) and a prolific author on information governance (CMSWire, Oil and Gas Monitor, PCWorld, AIIM).

Martin T. Tully

Redgrave LLP, Chicago, IL

Martin Tully is partner with the Chicago office of Redgrave LLP. He is a veteran trial lawyer with over 30 years of national experience representing companies and individuals in complex commercial litigation concerning a broad array of fields and industries. Empowered by his commercial litigation practice, Martin is nationally recognized for his knowledge and experience in the fields of electronic discovery, information governance, and data security/data privacy. Martin advances thought-leadership in data law as the Chair of the Steering Committee of the Sedona Conference Working Group on Electronic Document Retention and Production (WG1), as an active member of the Sedona Conference Working Group on Data Security and Privacy Liability (WG11), the 7th Circuit Council on eDiscovery and Digital Information, the ABA Section of Litigation, Privacy and Data Security Committee, and the International Association of Privacy Professionals (IAPP), as well as a director at-large of the Chicago Chapter of the Association of Certified E-Discovery Professionals (ACEDS). In addition, Martin has published and presented extensively on the topics of eDiscovery, information governance, cybersecurity, data privacy, and legal technology; is among a select group of lawyers in the world ranked for Litigation: E-Discovery & Information Governance by Chambers USA: America's Leading Lawyers and Chambers & Partners Global;

and he has been acknowledged by Who's Who Legal as being "steps ahead of his competitors" and "widely regarded for his 'superior knowledge' of electronic discovery and information governance."

Jami Mills Vibbert

Arnold & Porter, New York, NY

Jami is a data protection and cybersecurity partner in the New York office of Arnold & Porter. She counsels on compliance with the ever-growing number of data protection requirements and on how to create global data strategies designed to align with these requirements in an efficient, proactive, and operationalized way. Jami assists in program and policy creation, conducts privacy and data security risk assessments, advises on data risk management, negotiates privacy and data security provisions with customers and third parties, and engages in privacy and data security due diligence. In the aftermath of a security incident or data loss, she guides clients through breach response and crisis management and has been counsel for clients in privacy and data security-focused investigations with relevant privacy and data security regulators and in privacy and data security litigation.

Lesley Weaver

Bleichmar Fonti & Auld LLP, Oakland, CA

Lesley represents public entities, consumers, and private businesses in antitrust, securities and consumer litigation, primarily class actions or opt out matters. She has been appointed to leadership positions in some of the country's largest and most significant MDL class cases in recent years. She currently serves as co-lead counsel for plaintiffs in *In re Facebook, Inc. Consumer Privacy User Profile Litigation* MDL, the case challenging Facebook's widespread practice of selling access to users' content notwithstanding that users share it privately on the Facebook platform. In October 2014, she tried an internet privacy case against a Chinese-owned, California-based internet site, recovering 100 percent of economic damages and punitive damages jury verdict, and significant injunctive relief. Lesley holds degrees from Harvard College and the University of Virginia Law School. She has studied at the University of Bonn, and was a Rotary exchange student at Haderslev Katedralskole.

Craig W. Weinlein

The Sedona Conference, Phoenix, AZ

Craig is the Executive Director of The Sedona Conference. He has been a member of the Board of Directors of The Sedona Conference since 2009 and currently serves as the Chairman. Craig has worked with The Sedona Conference since 2000, when he served on the faculty of the first Conference on Patent Litigation. He was a member of The Sedona Conference Advisory Board from 2004 to 2013. Before joining The Sedona Conference full time in 2014, Craig was a partner with Carrington, Coleman, Sloman & Blumenthal, LLP in Dallas, Texas, for 25 years. He served as Chair of his firm's Intellectual Property Practice Group for his last ten years with the firm. His primary area of practice was complex litigation with a concentration in intellectual property cases. During the course of his career, Craig has tried dozens of cases and argued numerous appeals in federal and state courts. Craig was selected by American Lawyer Media and Martindale-Hubbell as a 2013 Top-Rated Lawyer in Intellectual Property. He is also listed as one of the best trademark practitioners in Texas in Who's Who Legal: Texas for 2007 and 2008 and in the 2012 through 2014 editions of World Trademark Review 1000—The World's Leading Trademark Professionals where he is described as "a remarkable litigator whose wide-ranging trial experience earns him a distinguished market standing." Craig's book, *The Art of Witness Preparation*, is a unique contribution to the literature on complex litigation because it focuses on the witness's testimony and presentation, instead of the lawyer's examination and performance. Craig's publication credits also include articles in *The American Journalism Review*, *The Journal of Arts Management and Law*, and *The American Symphony Orchestra League's Principles of Orchestra Management*.

Jonathan M. Wilan

Baker McKenzie, Washington, DC

Jonathan is a partner in the Washington, DC office of Baker & McKenzie LLP, where he focuses his practice on digital risk. In particular, he advises companies on legal requirements, processes, and technology for managing legal risk arising from digital information proactively and in the context of complex litigation, internal investigations, and regulatory responses. He earned a B.A., magna cum laude, from the University of Maryland at College Park and a J.D., cum laude, from Harvard Law School.

Kenneth J. Withers

The Sedona Conference, Phoenix, AZ

Ken is the Deputy Executive Director of The Sedona Conference and its Corporate Secretary. Since 1989, he has published several widely-distributed papers on electronic discovery, hosted a popular website on electronic discovery and electronic records management issues, and given presentations at more than 300 conferences and workshops for legal, records management, and industry audiences. His most recent publications are Ephemeral Data and the Duty to Preserve Discoverable Electronically Stored Information in the University of Baltimore Law Review (2008); Living Daily with Weekley Homes in the Texas State Bar Advocate (Summer 2010); and Risk Aversion, Risk Management, and the Overpreservation Problem in Electronic Discovery in the South Carolina Law Review (2013). From 1999 through 2005, he was a Senior Education Attorney at the Federal Judicial Center in Washington D.C., where he developed Internet-based distance learning programs for the federal judiciary concentrating on issues of technology and the administration of justice. Ken also contributed to several well-known FJC publications, including the Manual for Complex Litigation, Fourth Edition (2004), Effective Use of Courtroom Technology (2001), and the Civil Litigation Management Manual (2001).

Phil N. Yannella

Ballard Spahr LLP, Philadelphia, PA

Phil is the Practice Leader of Ballard Spahr's Privacy & Data Security Group and the firm's Cybersecurity Incident Response Team. Phil has over 20 years of experience litigating and counseling clients on data breach, state wiretap, Telephone Consumer Protection Act (TCPA), Biometric Information Protection Act (BIPA) class actions, Defense of Trade Secrets Act (DTSA), Computer Fraud and Abuse Act (CFAA), Stored Communication Act (SCA), and wire fraud misdirection claims. He has counseled clients on website accessibility, web scraping, UDRP claims, and litigation relating to deprecation of website certificates and APIs. He is the author of CyberLitigation (Thomson Reuters), a treatise on data breach and privacy litigation. Phil also has extensive experience in complex forensic investigations and has managed over 500 cyber incidents for clients. He has led Sarbanes-Oxley control investigations and the defense of numerous regulatory investigations. Phil is recognized



**The Sedona Conference Working Group 11
on Data Security and Privacy Liability**

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DIALOGUE LEADERS

by Legal 500 and is accredited by the International Association of Privacy Professionals as a Certified Information Privacy Professional (CIPP/US).