



Data Security & Privacy

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Overview

O'Melveny's Data Security and Privacy group helps clients prepare for and respond to the serious legal and financial risks posed by evolving data protection and privacy obligations. Our lawyers provide counsel across the entire life-cycle of privacy and data security concerns—from pre-incident counseling and policy formation, to managing incident responses, internal investigations, litigation, and regulatory proceedings. Senior business executives, company boards, and corporate legal departments look to our team as they anticipate challenges, shape their strategies, and address the business, legal, and policy issues surrounding privacy and cybersecurity.

We also leverage the in-depth knowledge and experience of our lawyers who have held high-level posts in government and the private sector—allowing us to help clients navigate the complex and shifting decision-making procedures followed by federal agencies, Congress, and other governmental and regulatory bodies. O'Melveny's award-winning litigation and investigations lawyers draw on their decades of success in and out-of-court to advise clients when data breaches result in class action litigation or

Accolades

"With its national coverage and depth of expertise, the firm's bet-the-company labor and employment litigation practice is very well known."

regulatory proceedings. Our team includes:

- Former US National Security Advisor who chaired President Obama's Commission on Enhancing National Cybersecurity
- Former General Counsel at the Department of Homeland Security
- Former White House Counsel
- Former resident legal advisor to the US Embassy in Beijing and key member of the US Attorney's Office Cybercrime and Intellectual Property Crimes Section
- Several former top lawyers in the Department of Justice and Securities and Exchange Commission

Services

- Training and education for in-house counsel and information security officials on existing regulatory regimes, managing cyber risks, and potential liabilities in the event of data breaches.
- Strategic counseling on the cyber threat landscape and the rapidly evolving legal risks associated with cyber-attacks, including presentations geared to the Board and other high-level decisions makers.
- Privileged and confidential assessments of cybersecurity risks of existing holdings, including review and recommendations for enhancements of incident response plans, and other pre-breach preparations, such as table top exercises, employee training, insider threat management, and penetration testing.
- Supply Chain Risk Management assessments, including review and recommendations to mitigate exposure and risks from cybersecurity incidents of suppliers and vendors.
- Post incident response, including internal investigations, compliance with notification and SEC disclosure requirements, and the management of relationships with law enforcement and regulatory agencies (federal, state, foreign) in order to mitigate investigative risks.
- Defense of regulatory enforcement matters, class action litigation (consumer, employee, and shareholder derivative), and other breach related litigation, and the handling of cyber insurance issues.

Clients

Industries

- Banking & Financial Services
- Colleges & Universities
- Consumer & Retail Products
- Entertainment & Media
- Health Care
- Hospitality & Leisure
- Life Sciences
- Technology

Practices

- Business & Commercial Litigation
- Consumer Finance Litigation
- Product Liability & Mass Torts
- Electronic Discovery & Document Retention
- Intellectual Property & Technology
- Labor & Employment
- Public Policy & Political Strategy
- White Collar Defense & Corporate Investigations