



## ALAN CHARLES RAUL

PRINCIPAL, RAUL CONSULTING COMPANY

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Alan Raul is a Lecturer at Harvard Law School, Board Chair and President of the Future of Privacy Forum, and Board Secretary of the Society for the Rule of Law. Alan founded and led Sidley Austin LLP's global Privacy and Cybersecurity practice for over twenty-five years. Alan now practices law and undertakes strategic, advisory, and oversight projects as Principal of Raul Consulting Company.

At Harvard Law School, Alan teaches "Digital Governance: Privacy, Artificial Intelligence and Information Technology." He is an Affiliate of Harvard's Berkman Klein Center for Internet and Society. He has directed a BKC/HLS Reading Group on Emerging TechReg Policies, and taught "Cybersecurity Risks, Rules and Responsibilities" both at Harvard and Georgetown Law School, where he is an Adjunct Professor of Law. He is a longstanding member of the Council on Foreign Relations, and a member of the Board of Trustees of the Nantucket Atheneum, the island's historic public library. Alan also serves on the Advisory Committee of the Kohlberg Center on the U.S. Supreme Court (affiliated with the Brennan Center for Justice at NYU School of Law).

Alan has served in government as Vice Chairman of the Privacy and Civil Liberties Oversight Board. During his service on PCLOB, the Board addressed the Terrorist Surveillance Program authorized by the President. He also served as General Counsel of the Office of Management and Budget; General Counsel of the U.S. Department of Agriculture; and Associate Counsel to the President. In his prior government service, Alan represented the White House in connection with congressional and independent counsel investigations of the Iran-Contra episode.

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Under Raul Consulting Company, Alan advises companies and boards on regulatory enforcement, crisis management, compliance and due diligence regarding data practices, information technology, artificial intelligence, and cyber attacks, breaches and software vulnerabilities. Over numerous years in private practice, Alan has represented AT&T, Microsoft, Palo Alto, Ivanti, WatchGuard, Facebook, Yahoo!, Clearlake, Morgan Stanley, Edward Jones, Goldman Sachs, Costco, Amgen, Bayer, Raytheon, Gannett, Sara Lee, Tyson Foods, Metagenics, MyHeritage, SIFMA, and the National Automobile Dealers Association, among others.

In addition to teaching, speaking, and writing about technology policy issues, Alan also publishes frequently on public policy matters involving the rule of law, and other constitutional, administrative, and national security legal matters. His opinion pieces on various topical issues appear in numerous leading publications.

Alan received his J.D. from Yale Law School, M.P.A. from Harvard Kennedy School, and A.B. *magna cum laude* from Harvard College. He clerked for the Hon. Malcolm R. Wilkey, U.S. Court of Appeals for the D.C. Circuit.

In addition to founding Sidley's Privacy and Cyber practice in 1998, Alan helped found the Society for the Rule of Law in 2018, originally known as "Checks and Balances." The Society is a group of conservative and center-right lawyers dedicated to defending democracy and the rule of law regardless of party affiliation. In 1990, Alan co-founded "Lawyers Have Heart," a 10K run and walk to benefit the American Heart Association.

In his law practice, Alan has represented a number of leading technology and internet companies whose devices, software, or users have been exploited by state-sponsored threat actors. Such events typically involve extensive coordination with U.S. and international law enforcement, cybersecurity and regulatory agencies, and intelligence services. Cyber crises often involve managing various legal, regulatory, B2B, and consumer risks as well as offering advice regarding a broad range of corporate communications and public messaging. He represented the internet technology company that collaborated successfully with U.S. and UK governments to defend against and take down the Russian GRU's malicious "Cyclops Blink" malware before the Ukraine invasion.

Alan represented the Special Cybersecurity Committee of Yahoo!'s Board of Directors in connection with its independent investigation of the company's handling of the two largest data breaches ever reported. Alan represented AT&T in support of Microsoft in the Matter of a Warrant to Search Certain E-mail Account Controlled and Maintained by Microsoft Corporation (contesting extraterritorial access to electronic communications stored in Ireland). And, invoking "the interest of justice," Judge Amy Berman Jackson appointed Alan to serve as pro bono counsel to represent the privacy interests of jurors in connection with a high-profile criminal litigation, *In re: Juror*

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Questionnaires in *United States v. Stone*; the jurors feared the disclosure of their confidential questionnaires would lead to cyber harassment and worse.

Alan is ranked in Chambers' first tier of privacy and cybersecurity practitioners and has been named a BTI Super All-Star for client service in the privacy and cybersecurity field. Alan has also been named as a leading international Internet and E-Commerce Lawyer in Who's Who Legal, and Ethisphere Institute's "Attorneys Who Matter" in Data Privacy/Security, which recognizes lawyers with the highest commitment to public service, legal community engagement, and academic involvement. The Washingtonian has named Alan one of Washington, D.C.'s Best Lawyers for Cybersecurity and also for First Amendment and Media Law, and the National Law Journal named him a "Cyber Security Trailblazer."

### **Select Publications:**

- ["If Trump's Compact Fails, Congress Can Help,"](#) Wall Street Journal (Oct. 16, 2025)
  - ["Rash Words Can Be Risky in the Nuclear Era,"](#) Wall Street Journal (Aug. 5, 2025)
  - ["After CASA: The Administrative Procedure Act Option for Challenging the Birthright Citizenship and Other Illegal Executive Actions,"](#) Just Security (June 30, 2025)(with Harold Hongju Koh and Fred Halbhuser)
  - ["Trump cannot remake the government with the stroke of a Sharpie,"](#) Washington Post (May 5, 2025)
  - ["Why DOGE is unconstitutional,"](#) Washington Post (Feb. 11, 2025)
  - ["The Biden pardon Is Dubious and Dangerous,"](#) Society for the Rule of Law (Dec. 4, 2024)
  - ["Jack Smith is prosecuting candidate Trump, not President Trump,"](#) The Hill (Oct. 1, 2024)
  - ["Less is more: The Supreme Court should not decide immunity 'for the ages',"](#) The Hill (May 5, 2024)
  - ["The U.S. Plans to 'Lead the Way' on Global AI Policy,"](#) Lawfare (Feb. 13, 2024)(with Alexandra Mushka)
  - ["Stuck With Biden, I'm Still a Never Trumper,"](#) Wall Street Journal (Jan. 2024)
  - ["'Cyclops Blink' Shows Why the SEC's Proposed Cybersecurity Disclosure Rule Could Undermine the Nation's Cybersecurity,"](#) Lawfare (Aug. 30, 2022)(with Steve McInerney and Sasha Hondagneu-Messner)
  - [Nation-State-Sponsored Attacks: Not Your Grandfather's Cyber Attacks,](#) New York Law Journal (May 6, 2022)(with Joan Loughnane, Stephen McInerney, Laura Sorice)
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- “On executive privilege, Mark Meadows has just about everything wrong,” Washington Post (Nov. 22, 2021)(with Peter Keisler and Stuart Gerson)
  - “Transferring EU Data to US After New Contractual Safeguards,” Law360 (May 17, 2021)
  - “All Pence Can Do Is Count,” Wall Street Journal (Jan. 3, 2021)(with Richard Bernstein)
  - “Schrems II Concerns Regarding U.S. National Security Surveillance Do Not Apply to Most Companies Transferring Personal Data to the U.S. Under Standard Contractual Clauses,” Datamatters (Dec. 23, 2020)
  - “Why Schrems II Might Not Be a Problem for EU-U.S. Data Transfers,” Lawfare (Dec. 21, 2020)
  - “Naked Republican hypocrisy is destroying trust in Supreme Court: Reagan, Bush lawyers,” USA Today (Oct. 12, 2020)(with Donald B. Ayer)
  - “Who’s balancing privacy against public health and everything else?,” *The Hill* (June 13, 2020)
  - “Partisans may use pandemic to subvert election. Here's how patriots can stop them,” USA Today (May 6, 2020)
  - “Make the Constitution great again: Trump abuses beg for crash course in 'America 101,’” USA Today (Jan, 3, 2019)
  - “Privacy legislation could provide common ground for the newly divided Congress,” The Hill (Nov. 19, 2018)(with Christopher Wolf)
  - “The Economic Case for Preserving PPD-28 and Privacy Shield,” Lawfare (Jan. 17, 2017) (with Cameron Kerry)
  - “The EU-U.S. Privacy Shield Is a Victory for Common Sense and Transatlantic Good Will,” Council on Foreign Relations (March 1, 2016)
  - “The Government Has Protected Your Security and Privacy Better Than You Think,” Washington Post (Nov. 23, 2015)
  - “Europe Needlessly Endangers Its Digital Links,” Wall Street Journal (Oct. 25, 2015)
  - “The U.S. Government Largely Has Itself to Blame for the EU Court’s Safe Harbor Decision,” Council on Foreign Relations (Oct. 8, 2015)
  - “Cyberdefense Is a Government Responsibility,” Wall Street Journal (Jan. 5, 2015)
  - “After NSA Revelations, a Privacy Czar is Needed,” Washington Post (Sept. 22, 2013)
  - “Lost and found in cyberspace,” The Hill (April 5, 2013)
  - “For Republicans, less purity and more reality,” Washington Post (Nov. 8, 2012)
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- “CFPB Lacks Constitutional Checks and Balances,” The Hill’s Congress Blog (June 25 2012)
- “Break the Impasse on Cybersecurity,” The Hill’s Congress Blog (June 11, 2012)
- “Time to Revive Privacy Board to Protect Civil Liberties,” New York Times (Nov. 22, 2010)
- “Undermining Society’s Morals,” Washington Post (Nov. 28, 2003)
- “In Era of Broken Rules, Society Breaks,” Los Angeles Times (Oct. 11, 2002)
- “Cheer Ashcroft on, With a Little Friendly Oversight,” Los Angeles Times (Dec. 5, 2001)
- “Ignoring the Constitution Is a Bad Habit,” Wall Street Journal (March 22, 2000)
- “The Courts Thwart The EPA’s Power Grab,” Wall Street Journal (May 18, 1999)(with C. Boyden Gray)
- “Unanimous Censure, Immediate Shunning; Impeachment: There are Better ways to Condemn Clinton’s Disgraceful Behavior,” Los Angeles Times (Dec. 10, 1998)
- “THAT ‘CELESTIAL FIRE CALLED CONSCIENCE’,” Washington Post (July 27, 1998)

## Experience

### **FTC/ Federal and State Agency/International Investigations:** Privacy Representations

- Represent major tech company in EU-wide investigation regarding cloud services, data practices, and international transfers (ongoing).
- Successfully represented major consumer-facing company in response to FTC inquiry regarding data breach and data security practices following customer data found on dark web (no enforcement action).
- Tech/Media/Telecom companies in connection with agency study of online and advertising practices.
- Major Tech/Media/Telecom company regarding investigation of consumer impacts of new technology deployment. Investigation closed without enforcement action.
- Tech/Media/Telecom company in investigation regarding privacy policy and practices. Investigation closed without enforcement action.
- Adtech company in connection with online advertising practices. Investigation closed without enforcement action.
- Major Tech/Media/Telecom companies regarding informal inquiries regarding location information and consumer data sharing.

### Data Security Representations

- Represent various tech companies and internet infrastructure providers attacked by nation state threat actors.
  - Represented securities/insurance firm in NY DFS cybersecurity enforcement investigation (successful settlement).
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- Major consumer facing company regarding its Red Flag Rule (ID Theft) compliance program.
- Major financial institution in connection with data security incident. Investigation closed without enforcement action.
- Leading retailer in connection with major data security breach. Investigation closed without enforcement action.
- Professional services firm regarding a data security incident. Investigation closed without enforcement action.
- Numerous companies regarding informal inquiries regarding data security incidents, including system, device, technology and software vulnerabilities.

### **Litigation Matters:**

Privacy; Data Security; Consumer Protection; FTC/State AGs; Internet; eCommerce

- *John Roe and Jane Doe, et al. v. Amgen Inc.* (CD Cal.)(pending 2025).
  - *Atlas Data Privacy Corp. Lit.* (D. New Jersey)(settled favorable in 2025).
  - *Microsoft Ireland Operations Limited v. European Data Protection Supervisor* (pending General Court of the EU).
    - *In re: Juror Questionnaires in United States v. Stone* (DDC 2022) – successfully represented the privacy interests of twelve jurors who served in a high profile criminal trial to protect their confidential *voir dire* material. Appointed pro bono counsel by Judge Amy Berman Jackson. *Showneen Hall Litigation* (D. Utah 2018) – represented Internet company defendants in a purported class action involving allegations arising out of a data breach. Sidley obtained a complete dismissal prior to discovery.
  - *In re: Office of Personnel Management Data Security Breach Litigation* (D.C. Cir. 2018) – represent U.S. Chamber of Commerce as amicus in support of OPM and KeyPoint Government Solutions to uphold dismissal of data breach litigation on grounds of lack of standing and government contractor immunity.
  - *In the Matter of a Warrant to Search a Certain E-Mail Account Controlled and Maintained by Microsoft Corporation* (SDNY 2014; 2d Cir. 2016) – filed amicus brief and presented oral argument on behalf of AT&T Corp. in support of Microsoft; brief argued that search warrant may not be executed for data stored on foreign-based servers absent a substantial nexus with the U.S.
  - *Levandowski, et al. v. Gannett Satellite Information Network, Inc.* (E.D. Mich. 2016) – represented the defendant in a proposed class action alleging violations of the Michigan Video Rental Privacy Act. Sidley obtained a dismissal of all claims prior to discovery.
  - *Rousset v. AT&T Inc., and Yahoo Inc.* (W.D. Texas 2015) – represented AT&T regarding communications privacy.
  - *In re: RadioShack Corp.* (Bankruptcy Ct. D. Del. 2015) – represented AT&T in connection with protecting customer data in bankruptcy sale.
  - *CTIA v. City of New York* (Sup. Ct. NY 2014) – represented a CTIA member wireless carrier to protect access to customer data.
  - *Silha, et al. v. ACT, Inc., et al.* (N.D. IL 2014; 7th Cir. 2015) – represented defendants in privacy class action lawsuit alleging defendants sold personal information obtained from college entrance exam takers. (Sidley obtained complete dismissal, which was affirmed on appeal).
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- *Kelley v. Federal Bureau of Investigation, et al.* (DDC 2013) – privacy litigation (Privacy Act, U.S. Constitution, state privacy torts); prevailed on motion to dismiss in litigation representing individual plaintiffs alleging privacy rights violations.
  - *In re: Google Inc. Cookie Placement Consumer Privacy Litigation* (MDL D. Del. 2013) – privacy litigation (ECPA, SCA, CFAA); filed as a class action; representing an Internet advertising company defendant.
  - *Addison Automatics, Inc. v. The RTC Group, Inc.* (N.D. IL 2013) – privacy litigation involving alleged unsolicited faxed advertisements (TCPA); filed as a class action; representing a defendant technology company.
  - *Verzani v. Costco Wholesale Corp.* (2d Cir. and SDNY 2011) – consumer protection action; filed as a class action; represented defendant.
  - *One Stella Maris Corp. v. SeamlessWeb Professional Solutions LLC et al.* (NY Sup. Ct 2011) – consumer fraud, unfair business practice and contract claims filed as a class action; Sidley represented an internet company/eCommerce defendant.
  - *FCC v. AT&T Inc.* (U.S. 2011) – Amicus brief in FOIA case supporting AT&T; represented trade association (Business Roundtable).
  - *Randolph v. ING Life Ins. and Annuity Co.* (D.D.C. and DC Super. Ct 2007) – privacy and data breach litigation; filed as a class action; represented financial company defendant.
  - *AMANDA OBNEY, et al. TACO BELL CORPORATION* (S.D. CA 2011) – represented defendant in purported class action claiming consumer advertising disclosures were false and misleading (plaintiffs withdrew complaint following motion to dismiss).
- AT&T Corp. v. 2PrePaid Inc.*, (M.D. Fla. 2006) – Internet and eCommerce injunction; represented plaintiff in a copyright and IP infringement action.
- Metro-Goldwyn-Mayer Studios Inc., et al. v. Grokster, Ltd. et al.* (U.S. 2005) – amicus brief in support of copyright holders filed on behalf of Americans for Tax Reform in Support of Petitioners.
- *Retail Servs. v. Freebies Pub.* (4th Cir. and ED VA 2004) – Lanham Act and Anticybersquatting Consumer Protection Act (ACPA); represented plaintiff seeking declaration that use of the term “freebie” in domain name did not infringe defendants’ registered trademark, and that the term “freebies” was generic and not protectable as a trademark.
  - *AT&T v. Sprint* (SDNY 2004) – represented plaintiff in unfair competition, trademark infringement and Anticybersquatting Consumer Protection Act litigation.
  - *In re Pharmatrak, Inc. Privacy Litigation* (D. MA and 1st Cir. 2003) – privacy litigation (ECPA, SCA, CFAA); filed as class action; represented pharmaceutical company defendant.
  - *Physicians Interactive v. Lathian Systems Inc., et al.* (E.D. VA 2003) – Privacy and computer fraud litigation involving alleged hacking, unauthorized use of customer information and theft of trade secrets; Sidley obtained TRO and injunctive relief against competitor that hacked client’s website.
  - *AT&T Corp. v. ATT&T, Inc.* (D. Del. 2002) – Litigation regarding use of infringing mark; Sidley obtained TRO and summary judgment under Anticybersquatting Consumer Protection Act (ACPA).
  - *AT&T Corp. v. AT-T.COM* (E.D. VA 2002) – Sidley obtained transfer of infringing domain name, and order disabling associated IP address under ACPA.

- *USA, ex rel. Paul A. Cimino v. IBM* (DC. Cir. 2020) – representing Chamber of Commerce Litigation Center as *amicus*, supporting IBM, in False Claims Act appeal.
- *U.S. ex rel. Steven Mateski v. Raytheon Co.* (C.D. CA and 9th Cir.) – represent defendant in False Claims Act litigation.
- *Duke Energy International Peru Investments No. 1 Ltd. v. Republic of Peru* (ICSID 2011) – international arbitration involving investment dispute over energy sector privatization; represented foreign sovereign (Peru).
- *Tyson Foods, Inc. v. U.S. Department of Agriculture* (DDC 2008) – regulatory litigation; represented plaintiff seeking to enjoin USDA.

## Memberships & Activities

Alan serves as a member of the Technology Litigation Advisory Committee of the Chamber Litigation Center (affiliated with the U.S. Chamber of Commerce).

Alan is Board Chair and President of the Future of Privacy Forum, a non-profit organization that serves as a catalyst for privacy leadership and scholarship, advancing principled data practices in support of emerging technologies. FPF brings together industry, academics, consumer advocates and other thought leaders to explore the challenges posed by technological innovation and develop privacy protections, ethical norms and workable business practices.

### Alan's Memberships include:

- Future of Privacy Forum, Board Chair and President
- Society for the Rule of Law, Board Secretary and Founding Member
- Nantucket Atheneum, Board Trustee
- Berkman Klein Center for Internet and Society, Harvard Law School, Affiliate
- Council on Foreign Relations
- Kohlberg Center Advisory Committee of the Brennan Center for Justice at NYU School of Law
- National Security Institute, George Mason University's Antonin Scalia Law School, Member of Advisory Board
- Federalist Society (former Executive Committee for Administrative Law and Regulation Group)
- American Heart Association, Washington DC Board of Directors (former Board Member)
- Washington Tennis and Education Foundation (former Board Member)
- American Bar Association Cybersecurity Legal Task Force (former appointee of ABA President)
- American Bar Association, Section of Administrative Law and Regulatory Practice (former Council Member)
- American Bar Association, Section of International Law and Practice (former Council Member)
- National China Garden Foundation (former Board Member and Secretary)

## Publications

Alan is a frequent author and speaker on privacy and related issues. He is the editor and contributing author of *The Privacy, Data Protection and Cybersecurity Law Review* (Law Business Research Ltd. 5th ed. 2018), coauthor of *Administrative Law of the European Union: Oversight* (ABA 2008) and author of *Privacy and the*

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*Digital State: Balancing Public Information and Personal Privacy* (Kluwer Academic Publishers 2001). He has appeared frequently as a legal commentator on television and radio, and testifies before Congress on various issues.

Alan also writes and speaks regularly on Internet and information law topics, “junk science,” and federal regulatory policy, as well as on constitutional, political and social issues. He has published numerous articles in legal periodicals, as well as pieces in the *Wall Street Journal*, *Washington Post*, *Los Angeles Times*, *New York Times*, *Washington Times*, *Politico*, *The Hill* and various Bloomberg BNA publications. He is the lead author of “Regulatory Daubert: A Proposal to Enhance Judicial Review of Agency Science by Incorporating Daubert Principles into Administrative Law,” in the *Journal of Law and Contemporary Problems* (Fall 2003).

## Books

- Contributing Editor, *Lexology In-Depth: Privacy, Data Protection and Cybersecurity*, Eleventh Edition, November 2024.
- Author, “Global Overview” chapter, *Lexology In-Depth: Privacy, Data Protection and Cybersecurity*, Eleventh Edition, November 2024.
- Co-author, “EU Overview” chapter, *Lexology In-Depth: Privacy, Data Protection and Cybersecurity*, Eleventh Edition, November 2024.
- Co-author, “United States” chapter, *Lexology In-Depth: Privacy, Data Protection and Cybersecurity*, Eleventh Edition, November 2024.
- Contributing Editor and Author of the Introduction, *Chambers 2024 Global Practice Guide for Data Protection & Privacy*, April 2024 (Updated annually since 2019).
- Contributing Editor and Author of the Introduction, *Chambers 2024 Global Practice Guide for Cybersecurity*, April 2024 (Updated annually since 2019).
- Co-author, “CBPR and APEC Overview” chapter, *The Privacy, Data Protection and Cybersecurity Law Review*, Ninth Edition, November 2022.
- Co-author, *SIFMA Cybersecurity: Insider Threat Best Practices Guide*, 2nd ed., Feb. 2018.  
Co-author, “Cybersecurity for Law Firms” chapter in *The ABA Cybersecurity Handbook*, 2nd ed., ABA Cybersecurity Legal Task Force, October 2017.
- Co-author, “Essentially Equivalent: A Comparison of the Legal Orders for Privacy and Data Protection in the European Union and United States,” January 2016.
- Co-author, “Cybersecurity for Law Firms,” chapter, *The ABA Cybersecurity Handbook*, ABA Cybersecurity Legal Task Force, 2025
- Co-author, “Administrative Law of the European Union: Oversight,” *ABA Publishing*, 2008.
- *Privacy and the Digital State: Balancing Public Information and Personal Privacy*, *Kluwer*, 2001.
- “Privacy and Data Protection in the United States,” chapter, *The Debate on Privacy and Security Over the Network: Regulation and Markets*, 2012.

## Representative Articles

- Co-author, “Cybersecurity Takeaways From White House Tech Report,” *Law360*, March 26, 2024.
  - Co-author, “The U.S. Plans to ‘Lead the Way’ on Global AI Policy,” *Lawfare*, February 13, 2024.
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- Co-author, "Schumer Framework May Forge US Model On AI Governance," *Law360*, September 5, 2023.
  - Co-author, "U.S.-EU Data Transfer Framework Signals Strengthened Collaboration," *Law360*, October 14, 2022.
  - Co-author, "Cyclops Blink' Shows Why the SEC's Proposed Cybersecurity Disclosure Rule Could Undermine the Nation's Cybersecurity," *Lawfare*, August 30, 2022.
  - "Who's balancing privacy against public health and everything else?," *The Hill*, June 13, 2020.
  - "Partisans may use pandemic to subvert election. Here's how patriots can stop them," *USA TODAY*, May 6, 2020.
  - Co-author, "Where does privacy go from here: California, EU and Indian data privacy laws and global compliance programs," *Thomson Reuters Accelus Regulatory Intelligence*, August 5, 2019.
  - Co-author, "Rule of Law in America: Key Challenges in 2019," Institute for Constitutional Advocacy and Protection – *Medium*, March 1, 2019.
  - "Make the Constitution great again: Trump abuses beg for crash course in 'America 101,'" *USA Today*, January 3, 2019.
  - Co-author, "Privacy legislation could provide common ground for the newly divided Congress," *The Hill*, November 19, 2018.
  - "The Trump Admin. Approach To Data Privacy, And Next Steps," *Law360*, September 27, 2018.
  - "Privacy as a 'Fundamental Right' Clouds Smart Regulation," in *Chambers and Partners Data Protection & Cyber Security 2018 Guide*, July 20, 2018.
  - "What's New in NIST's Updated Cybersecurity Framework," *Law360*, April 17, 2018.
  - Co-author, "When and How Cos. Should Address Cyber Legal Compliance," *Law360*, October 24, 2017.
  - Co-author, "New NACD Cyber-Risk Handbook of Critical Board Oversight Duties," *Bloomberg Law*, February 2017.
    - Co-author, "Cybersecurity: M&A Due Diligence and Protecting Privilege," *Sidley Perspectives on M&A and Corporate Governance*, February 2017.
    - Co-author, "2016 Year in Review and 2017 Preview: Top Ten for Data Protection and Privacy," *Data Matters*, January 31, 2017.
  - Co-author, "Fate Unclear for Obama Administration Cyber Sanctions," *Data Matters*, January 25, 2017.
  - Co-author, "The Economic Case for Preserving PPD-28 and Privacy Shield," *Lawfare*, January 17, 2017.
  - Co-author, "New York State Department of Financial Services Proposes Regulations Imposing Detailed Cybersecurity Rules on Insurance, Banking and Other Licensed Financial Institutions," *Data Matters*, September 19, 2016.
  - "Despite Lenient View of Standing, Appellate Court Dismisses 'Clearly Meritless' Case on 12(b)(6) Grounds Not Considered by the District Court; Lessons Abound," *Data Matters*, August 29, 2016.
  - Co-author, "2nd Circ. Microsoft Ruling: A Plea For Congressional Action," *Law360*, August 1, 2016.
  - Co-author, "Data Security & Cybercrime in the USA," *Lexology Navigator*, July 2016.
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- “Supreme Court to Ninth Circuit in *Spokeo*—Get ‘Real’ on Injury,” *Bloomberg BNA: Privacy and Security Law Report*, May 23, 2016.
  - “The EU-U.S. Privacy Shield Is a Victory for Common Sense and Transatlantic Good Will,” *Council on Foreign Relations*, March 1, 2016.
  - Co-author, “Top 10 Privacy Issues To Watch This Year,” *Law360*, January 7, 2016.
  - “The Government Has Protected Your Security and Privacy Better Than You Think,” *The Washington Post*, November 23, 2015.
  - Co-author, “Cybersecurity and Government ‘Help’ – Engaging with DOJ, DHS, FBI, Secret Service, and Regulators—Part II,” *Pratt’s Privacy & Cybersecurity Law Report* Vol 1. No. 3, November/December 2015.
  - Co-author, “Cybersecurity and Government ‘Help’ – Engaging with DOJ, DHS, FBI, Secret Service, and Regulators—Part I,” *Pratt’s Privacy & Cybersecurity Law Report* Vol 1. No. 2, October 2015.
  - “Europe Needlessly Endangers Its U.S. Digital Links,” *The Wall Street Journal*, October 25, 2015.
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  - “Insider Threat” Cybersecurity and Privacy Best Practices,” *Information Law Journal*, 2015.
  - Co-author, “Certifying Cloud Compliance: A New International Standard (ISO/IEC 27018),” *BNA’s Daily Report for Executives*, February 2015.
  - “Cyberdefense Is a Government Responsibility,” *The Wall Street Journal*, January 2015.
  - Co-author, “Principles for Effective Cybersecurity Regulatory Guidance,” SIFMA Report, October 2014.
  - Co-author, “Cybersecurity - Insider Threat Best Practices Guide,” SIFMA Report, July 2014.
  - Co-author, “European Court of Justice Finds ‘Right to Be Forgotten’ and Compels Google to Remove Links to Lawful Information,” *NY Business Law Journal*, 2014.
  - “Don’t Throw the Big Data Out With the Bath Water,” *Politico*, April 29, 2014.
- “Spying on Foreigners Needs Controls; Failing to see the benefits to the U.S. of extending some privacy protections to foreigners is shortsighted,” *The Wall Street Journal*, January 31, 2014.
- “After NSA Revelations, a Privacy Czar is Needed,” *The Washington Post*, September 22, 2013.
- “Lost and Found in Cyberspace,” *The Hill’s Congress Blog*, April 5, 2013.
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  - “Going American on Privacy,” *The Daily Caller*, April 13, 2012.
  - Co-author, “U.S., EU Offer Guidance on Due Diligence for Cloud Computing Arrangements,” *BNA’s Daily Report for Executives*, August 16, 2012.
  - “CFPB Lacks Constitutional Checks and Balances,” *The Hill’s Congress Blog*, January 25, 2012.
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- "Scoffing at Privacy Law," *The Hill's Congress Blog*, July 11, 2011.
  - "Obama Review of Regulatory Burden to Be Weighed in Cost-Benefit Analysis," *BNA's Daily Report for Executives*, February 9, 2011.
  - Co-author, "European Shift to Concrete Cost Analysis of Data Protection," *Privacy & Security Law*, March 14, 2011.
  - "Real Harmony in Cloud Computing Between U.S., EU Closer Than You Think," *BNA's Daily Report for Executives*, July 26, 2011.
  - "New Momentum for U.S. Privacy Legislation with Introduction of Major Bills in Both House and Senate," *BNA Insights*, July 26, 2011.
  - "Obama's Regulatory Powers," *Politico*, August 8, 2011.
  - "Preventing Digital Trade War in the Cloud; New International Data-Sharing Barriers Would Deepen Global Economic Gloom," *The Washington Times*, October 31, 2011.
  - Co-author, "First Look: Leaked Draft of New EU Data Protection Regulation Suggests Significant Impacts for Global Businesses," *BNA*, December 12, 2011.
  - "Time to Revive Privacy Board to Protect Civil Liberties," *The New York Times*, November 22, 2010.
  - Co-author, "SEC Sanctions Broker-Dealer/Investment Advisor for Willfully Failing to Safeguard Customers' Personal Data," *Privacy & Data Security Law Journal*, January 2009.
  - Co-author, "Assessing the EU Working Party's Guidance on Harmonizing U.S. Discovery and EU data Protection Requirements," *BNA's Privacy & Security Law Report*, March 9, 2009.
  - Co-author, "Reconciling European Data Privacy Concerns with US Discovery Rules: Conflict and Comity," *Global Competition Litigation Review*, July 2009.
  - Co-author, "End of the Notice Paradigm: FTC's Proposed Sears Settlement Casts Doubt On the Sufficiency of Disclosures in Privacy Policies and User Agreements," *BNA's Electronic Commerce & Law Report*, July 15, 2009.
  - Co-author, "Developments in Data Breach Liability," *Privacy & Data Security Law Journal*, September 2009.
  - "Privacy and Civil Liberties," *The Washington Post*, October 23, 2009.
  - Co-author, "Damages for the Harm of Data Breaches and Other Privacy Claims," *BNA's Privacy & Security Law Report*, September 15, 2008.
  - Co-author, "A Path to Resolving European Data Protection Concerns With U.S. Discovery," *Privacy and Security Law*, October 15, 2007.
  - "Undermining Society's Morals," *The Washington Post*, November 28, 2003.
  - "Annoying Judicial Calls On the Do-Not-Call List," *The Wall Street Journal*, October 6, 2003.
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  - Co-author, "Deeper Judicial Scrutiny Needed for Agencies' Use of Science," *Legal Background*, January 25, 2002.
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#### Events [not updated]

- Speaker, “EU-U.S. Data Privacy Framework: Reaction and Analysis,” co-hosted with OneTrust DataGuidance, October 11, 2022.
  - Speaker, “EU-U.S. Data Privacy Framework: Reaction and Analysis,” Sidley Austin LLP, Webinar, October 11, 2022.
- Speaker, “Data Governance in the New Regulatory Age,” Retail Law Conference, Nashville, TN, October 18, 2019.
- Moderator, “Insurance Industry Cybersecurity and Privacy Roundtable,” Sidley Austin LLP, New York, NY, September 15, 2016.
- “Safe Harbor Data Privacy Briefing: Your Questions Answered by Giovanni Buttarelli,” DataGuidance Webinar, October 20, 2015.
  - Speaker, “How Will the FCC and FTC Tackle Privacy and Data Security in the Coming Years?” Computers, Freedom & Privacy Conference, Alexandria, VA, October 14, 2015.

#### Admissions & Certifications

- U.S. Supreme Court
  - U.S. Court of Appeals, 2nd Circuit
  - U.S. Court of Appeals, D.C. Circuit
  - U.S. District Court, S.D. of New York
  - District of Columbia
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- New York

### Education

- Yale Law School (J.D., 1980)
- Harvard University (M.P.A., 1977)
- Harvard University (A.B., 1975, *magna cum laude*)

### Clerkships

- Malcolm R. Wilkey, U.S. Court of Appeals, D.C. Circuit (1980 - 1981)
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