

Data Privacy and Cybersecurity Attorney Guide

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QUICK-REFERENCE PAGE INDEX

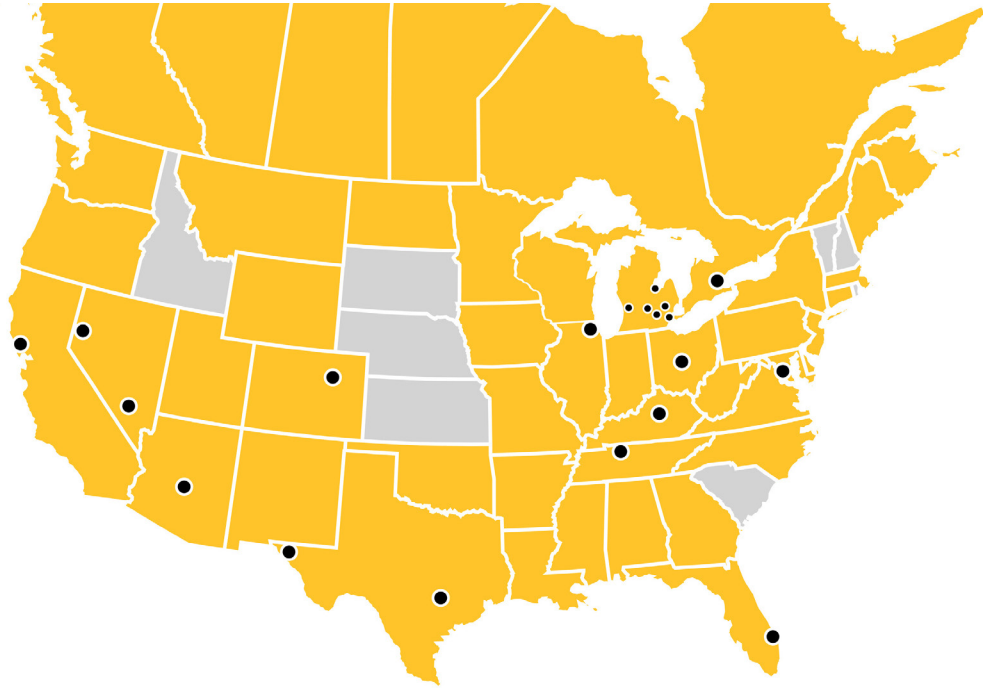
PAGE

Wendy G. Hulton	4
Sara H. Jodka	4
Fredric D. Bellamy.....	5
Lael D. Andara.....	5
Sean M. Gouhin.....	6
Andrew L. Sparks	6
Craig A. Phillips.....	6
Stephanie E. Kaiser.....	7
Michael N. Spink	7
Dana L. Ulrich.....	7
Caleb L. Green.....	8
Dan A. Poliwoda.....	8
Mark H. Rogge	8
Ashley N. Fernandez.....	9
Justin Quach.....	9
Helen R. Schweitzer	9

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Wendy G. Hulton
Dan A. Poliwoda
Justin Quach
Helen R. Schweitzer



Wendy G. Hulton | MEMBER

Toronto | Canada Cybersecurity Practice | 416.777.4035 | whulton@dickinsonwright.com

Wendy is a partner in Dickinson Wright's Toronto office. She has over thirty years of experience dealing with privacy and data protection issues, including compliance with PIPEDA, and cross-border data flows. She is one of Canada's leading lawyers on Canada's anti-spam law CASL. Wendy has successfully litigated business-related privacy cases brought before the courts and has considerable experience assisting clients in dealing with privacy breach incidents, both large and small.

She assists organizations in drafting domestic and multi-jurisdictional privacy and data retention policies, dealing with privacy inquiries and investigations by privacy commissioners, negotiating privacy-related agreements, reviewing agreements with third-party suppliers and service providers to analyze cyber risk implications and CASL compliance, advising on an organization's compliance with applicable privacy laws, providing guidance on privacy and cybersecurity due diligence in M&A transactions, providing educational webinars on privacy, cybersecurity and CASL compliance, crisis management and communication strategy following an incident, advising Canadian and foreign businesses on their CASL obligations, and advising on CASL compliance in electronic communications.



Sara H. Jodka | MEMBER

Columbus | US Cybersecurity Practice | 614.744.2943 | sjodka@dickinsonwright.com

Sara combines her in-depth knowledge of privacy and data security regulations and best practices, both domestic and international, with her keen understanding of emerging and information technologies to provide clients with practical advice on how to design and implement their products and services, draft/negotiate sophisticated technology agreements (e.g., "as-a-service" agreements, EULAs, DPAs, subscriber agreements, WISPs, etc.), consummate their M&A transactions, and engage third-party vendors in the United States and abroad. Sara has assisted clients in launching various technologies including medical devices; communication tools; toys using artificial intelligence, voice recognition, and real-time chat functionality; and apps for telehealth, COVID-19 tracking, e-commerce, social/protective services, geo-mapping, drone aviation, food delivery, and more.

Over the past few years, Sara has assisted more than 100 companies, from U.S.-based multinationals to startups, on their path to compliance with the EU General Data Protection Regulation (GDPR), the California Consumer Privacy Act (CCPA) as amended by the California Privacy Rights Act (CPRA). She regularly works with businesses to review and audit their privacy policies and procedures; prepare for and respond to data breaches; employ post-breach remedying; provide employee training; and legal and regulatory compliance matters, including HIPPA/HITECH, GLBA, FERPA, COPPA, PIPL, and US state-specific privacy laws, such as CAN-SPAM, and TCPA. She leverages her business litigation, transactional experience leading M&A, and tech transactions as well as her ability to break down complex concepts into easy-to-understand action items to provide effective, ongoing counsel to clients in their day-to-day operations.

Sara has also been certified by IAPP as a Certified Information Privacy Manager (CIPM) and a Certified Information Privacy Professional in the laws of the United States – private sector (CIPP/US), and the laws of the European Union (CIPP/E).

Areas of Focus: Data Privacy Compliance; Cyber Security & Crisis Management; Cyber Insurance; Litigation; Data Breaches; Employee Privacy Policies; Privacy Policies & Notices; Data Compliance Audits



Fredric D. Bellamy | MEMBER

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A seasoned litigator, Fredric D. Bellamy has extensive experience in intellectual property litigation, data privacy, and cybersecurity law, labor and employment, and environmental and toxic tort cases. With over 30 years of litigation experience, Fredric's clients rely on his strong grasp of the technical aspects of their business to handle intricate, lengthy cases with care.

Fredric communicates complicated legal and technical matters in terms his clients understand. He was honored with the prestigious Burton Award for Distinguished Legal Achievement from the Burton Foundation and the Library of Congress for outstanding writing on complex legal subjects in plain English. Fredric previously served as a long-standing member of the Board of Directors of the Arizona Technology Council, and currently serves as chairman of its Law & Technology Committee.

Fredric's practice has included several high-stakes, "bet-the-company" cases, and Chambers USA (2007) stated: "[Fredric's] litigation practice has seen him involved in some very sizable cases. He is widely perceived as a 'substantive lawyer' with a quick grasp of scientific issues and a creative approach."

Areas of Practice: Data privacy compliance; Cyber security and crisis management; Cyber Insurance; Litigation; Data breaches



Lael D. Andara | MEMBER

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Lael Andara focuses his practice on technology and intellectual property litigation. He has experience counseling both domestic and international clients on a wide variety of intellectual property matters, including intellectual property acquisition, portfolio management, litigation, licensing, and dispute resolution.

With a reputation for managing complex disputes efficiently and creatively, Lael prides himself on identifying and discovering the critical and concealed facts and communicating them to the involved parties or, where required, the jury in a form that is easily understood and appreciated to make or motivate an informed decision. He has successfully navigated issues in which a client is both asserting its patent rights and defending against simultaneous charges of infringement.

Like many of his clients, Lael keeps a watchful eye on emerging technologies. He has adapted technology-related advancements in eDiscovery to enhance his practice by reducing costs while increasing efficiency and security of his client's information. Additionally, Lael has earned his IAPP CIPP/US certification.



Sean M. Gouhin | OF COUNSEL

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Sean Gouhin focuses his practice on a variety of areas, including corporate law, mergers & acquisitions, private equity, and cybersecurity. With nearly 30 years of experience practicing law, Sean has worked with clients in a variety of areas to navigate the complexities of running a business.

Prior to joining Dickinson Wright, Sean was Executive Vice President and Chief Legal Counsel to a cybersecurity company based in Ohio.



Andrew L. Sparks | MEMBER

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Andrew is a seasoned litigator with a particular emphasis on government enforcement, white-collar criminal defense, internal and government investigations, health care and false claims act matters, and complex business disputes.

Before joining Dickinson Wright, Andrew worked as an Assistant United States Attorney in the Eastern District of Kentucky for fifteen years. Andrew served as the chief of the white-collar crime division, where he was responsible for all matters involving healthcare fraud, financial fraud, bank fraud, mortgage fraud, tax fraud, public corruption, cybercrime, environmental crime and civil False Claims Act cases.



Craig A. Phillips | MEMBER

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Counsel to various clients on a variety of Information Technology-related matters (including telecommunications), including drafting and negotiation of agreements, development and implementation of policies and procedures for the management of IT (including outsourcing-related issues), and counseling on license agreements, digital marketing, and social media metrics, relating to information technology that span multiple countries.

Areas of Practice: Data Privacy Compliance; Cyber Security & Crisis Management; Cyber Insurance; Data Breaches; Employee Privacy Policies; Privacy Policies & Notices; Data Compliance Audits; Contract Negotiation & Data Sharing Agreements; International Data Transfers; M&A Sale Transactions



Stephanie E. Kaiser | MEMBER

Austin | 512.770.4220 | skaiser@dickinsonwright.com

Stephanie Kaiser, a litigator based in Dickinson Wright's Austin office, provides guidance to her data privacy and cybersecurity clients on a wide variety of business and legal challenges. Her detail-oriented yet practical approach to identifying and addressing enterprise risk makes her a particularly skilled problem solver, both in and out of the courtroom.



Michael N. Spink | MEMBER

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Michael Spink is an IP attorney with over 20 years of broad experience counseling clients on patent, trademark, copyright, trade secret, and data privacy matters. He is business oriented with experience managing intellectual assets of large and small clients worldwide, including procurement and protection of patent and trademark portfolios, auditing and protecting trade secrets, setting corporate policy, and providing IP analytics.



Dana L. Ulrich | MEMBER

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Dana is a member partner of the corporate and mergers and acquisitions practice group. She regularly counsels companies in connection with all things related to their mergers and acquisitions, including financing, reorganizations, divestitures, spin-offs, data privacy, and cybersecurity. She assists both domestic and international companies with joint ventures and strategic alliances. Dana has also represented private companies, directors, officers, and shareholders in private placement of securities, securities law reporting and compliance matters, fiduciary obligations, corporate governance, commercial contracting, cybersecurity, regulatory, licensing, and employment matters.



Caleb L. Green | ASSOCIATE

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Caleb Green is an Intellectual Property Strategist and Technology attorney in the Dickinson Wright Las Vegas office. His primary practice areas include intellectual property law, cyber-security and data protection laws, entertainment law, and technology. Namely, Caleb's experience revolves around trademark prosecution, intellectual property litigation and enforcement, intellectual property management, corporate due diligence, and data protection compliance. Caleb merges his legal acumen with his unique background in computer science and information technology to help clients understand complex technical and legal issues and advise them on how to best protect their proprietary goods and services through intellectual property and privacy laws. For example, Caleb consults and advises clients on various emerging technologies, including non-fungible tokens (NFTs), blockchain technology, DAOs, cryptocurrency, and metaverse/virtual reality matters.



Dan A. Poliwoda | ASSOCIATE

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Dan Poliwoda is an attorney in Dickinson Wright's Toronto office, where he maintains a broad litigation practice. He has experience in a variety of matters involving corporate/ commercial litigation, competition law, international trade, intellectual property, regulatory compliance, government affairs, and public law. He is also developing a data privacy and cybersecurity advisory practice, including data privacy compliance, and cyber security and crisis management.

Areas of Focus: Cyber security and crisis management; Data breaches; Privacy policies and notices; International data transfers; M&A sale transactions



Mark H. Rogge | ASSOCIATE

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Mark Rogge focuses on intellectual property litigation, practicing out of the firm's Silicon Valley office. He has a decade of experience with software patents, including patent applications and prosecution, licensing agreements, and software subscription agreements. His clients consist of tech companies and startups, particularly those working in cloud-based technology. Previously, he was in-house counsel to a startup that provided software to enable cloud computing. Mark Rogge is CIPP/US certified.



Ashley N. Fernandez | ASSOCIATE

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An Attorney in Dickinson Wright's Detroit office, Ashley counsels clients on intellectual property, data privacy and cybersecurity, and commercial and business litigation matters. Ashley's interest in data privacy and cybersecurity began during her time at George Washington Law, where she centered her course work around these topics and worked as a Legal Extern at the Federal Trade Commission's Office of International Affairs, focusing on International Consumer Protection and Privacy matters. Additionally, she volunteered at the Privacy+Security Academy's biannual conference learning from privacy professionals around the globe. Now, Ashley puts her skills into practice by helping clients navigate this fast-changing area of law.

Areas of Focus: Data Privacy Compliance; Litigation; Employee Privacy Policies; Privacy Policies & Notices



Justin Quach | ASSOCIATE

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Justin Quach is an Attorney in Dickinson Wright's Toronto office who focuses his practice on corporate law, including mergers and acquisitions. In addition to his experience with M&A sale transactions of tech companies, he also has experience assisting tech startups to develop and comply with privacy policies and notices. Justin also serves on the firm's EV Advisory Board which helps clients navigate the automotive industry's shift to battery-powered electric vehicles and autonomous vehicles.



Helen R. Schweitzer | ARTICLING STUDENT

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Helen Schweitzer recently graduated from Queen's University Faculty of Law, where she was an Editor for the Queen's Law Journal, volunteered with ProBono Students Canada, and was a student caseworker with the Queen's Elder Law Clinic. Prior to joining Dickinson Wright LLP, she worked in a neuroendocrinology research laboratory and in employee and family assistance at a large human resources and technology company.