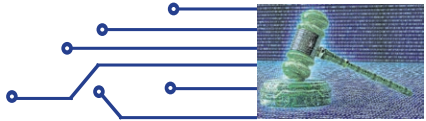


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TOP CYBER LAWYERS 2019



Natasha G. Kohne

Akin Gump Strauss Hauer & Feld LLP

San Francisco

Practice: cybersecurity, privacy and data protection

Specialties: litigation, global investigations, regulatory enforcement actions and compliance



Kohne is co-leader of Akin Gump's cybersecurity, privacy and data protection practice. She represents clients in the U.S., the Middle East and other international markets in risk assessments and the mitigation and management of cyber intrusions along with related privacy and security incident response preparation.

So with both an international client portfolio and a cyber breach response responsibility, 4 a.m. phone calls are routine.

"I give clients my mobile number. Those calls happen all the time," she said. "The first 24 hours following a breach are critical. Typically, I'll hear that an IT person has informed my corporate contact that information has been compromised. I am usually their first outside stop. I gather what I can. Usually in a data breach there's a bit of fog at first as information trickles in."

Kohne's next move is to bring on the technical experts.

"I hire the forensics people and start structuring the investigation to maximize attorney-client privilege. I'm the quarterback," she said. "I institute a best prac-

es protocol to minimize regulatory scrutiny down the road and to fend off plaintiffs' lawyers. I identify any regulatory or contractual obligations to be followed."

Beyond breaches, Kohne helms class action defenses, regulatory actions and law enforcement inquiries as well as gaming out table top scenarios to analyze risk assessments and to draft and revise privacy and security incident response plans.

When plaintiffs filed a high-stakes data privacy class action over claims that smart TV embedded software collected sensitive consumer information that the TV seller shared with ad-tech companies and data brokers, Kohne confronted as co-lead counsel two firsts: It was one of the first major internet-of-things cases and the first case to be brought against a TV seller under the Video Privacy Protection Act, a 1988 law enacted in the Reagan era after Supreme Court nominee Robert Bork's video rental history was published during his confirmation hearing.

"It's common in tech these days for plaintiffs to try to apply these decades-old laws to contemporary issues," Kohne said.

In this case, almost no regulatory guidance existed. Kohne added that no other law firm had experienced the multitude of issues the case presented. On Jan. 4, U.S. District Judge Josephine L. Staton of Santa Ana preliminarily approved a \$17 million settlement. *Vizio Inc. Consumer Privacy Litigation*, 8:16-ml-02693 (C.D. Cal., filed April 11, 2016).

"What I love most is how varied my practice is," Kohne said. "There are such cutting-edge issues that you feel you are making an impact on shaping privacy law."

— John Roemer