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SolarWinds of Change and Other Challenges for the Privacy and Data Security Practitioner

2021 Privacy & Data Security Section Program

Thursday, October 28, 2021
Live Webcast

NORTH CAROLINA: 6.00 MCLE HOURS

Includes:

1.00 Ethics/Professional Responsibility

6.00 Technology Training

Qualifies for NC State Bar Privacy and Information Security Law Specialization
Planned by the NCBA Privacy & Data Security Section

REGISTER TODAY

Save 10% if registration is received by October 7, 2021

cle.ncbar.org/courses/34002

Program Summary

While the COVID-19 pandemic continues to evolve, 2021 has seen both public and private actors increasingly prioritize consumer privacy and data security. It marked an increase in ransomware attacks (like the SolarWinds incident and the Colonial Pipeline hack) and brought us more protective legislation to emphasize consumer choice and defend against emerging cybersecurity threats. Virginia and Colorado joined California in passing comprehensive, state-level privacy laws. President Biden even issued an executive order emphasizing a strong need for the federal government to cooperate with the private sector in detecting, preventing and remediating cyber threats. Against this legislative and practical backdrop, both companies and consumers need to be more vigilant with their data management and compliance strategies.

This CLE updates attendees on recent developments in privacy legislation, addresses ethical considerations in this era of emerging challenges and technology, dives into AI, and provides practical legal guidance on navigating vendor contracting issues based on lessons learned from SolarWinds.

Round out the day with sessions on how to conduct data impact assessments in a variety of jurisdictions and how to handle a data breach through an interactive, mock breach hypothetical.

Past Program Testimonials

“ Great speakers with deep subject matter knowledge.

“ Awesome program and great content!

“ Excellent program for a growing area of law.

— Attendees, *This Year in Privacy (2020 Privacy and Data Security Section CLE)*,
September 17, 2020

AGENDA

THURSDAY, OCTOBER 28, 2021 | 8:55 AM – 4:25 PM

- 8:55 **Welcome and Introductions** | Steve Snyder, Bradley Arant Boult Cummings LLP, Charlotte, 2021-2022 Section Chair, presiding
- 9:00 **Updates in Privacy Law[‡]** | Cordell and Johnson
This session covers recent and pending updates to data privacy law both internationally and in the United States, with a focus on the practical implications of those changes and tips for preparing your clients.
- 10:00 **Break**
- 10:10 **Ethics in Privacy and Data Security^{*‡}** | Exum, Oten and Percival
Implementing security measures, avoiding phishing, preserving attorney-client privilege in a data breach — there are a multitude of ethical issues for lawyers relating to privacy and data security. This session helps attendees navigate them.
- 11:10 **Break**
- 11:20 **AI in the USA[‡]** | Iverson and McGinnis
Artificial intelligence (AI) is everywhere but is largely unregulated in the U.S. During this presentation, review FTC guidance and decisions on AI and discuss new state law requirements. With insight from a technical expert, attendees also gain a better understanding of what AI is and why it has lawmakers concerned.
- 12:20 **Lunch Break**
- 1:05 **Avoiding a SolarWinds in Your Business[‡]** | MacKenzie and McClelland
Take a look at the SolarWinds breach and its implications for corporate technology procurement policies, cyber supply chain risk management and due diligence. The session also covers best practices for vendor management, audits and related security frameworks.
- 2:05 **Break**
- 2:15 **Legally Required Impact Assessments: How to Do It Right[‡]** | Cottrell, Martinson and Ralich
Review the recent requirements of GDPR and various U.S. state laws for businesses to conduct privacy and transfer impact assessments. The speakers also outline the legal requirements and provide practical insights on how businesses are approaching those requirements.
- 3:15 **Break**

AGENDA

- 3:25 **Mock Data Breach[‡]** | Bowers, Cho and McKaskle
Cyberattacks, like the recent ones against Colonial Pipeline and meat processor JBS, are crippling organizations in nearly every industry sector. During this session, the speakers walk through the response to a ransomware attack of a health care organization and provide practical tips for containing the breach, complying with legal obligations, and minimizing the harm to patients and the organization.
- 4:25 **Adjourn**

* Indicates portion providing Ethics/Professional Responsibility credit

‡ Indicates portion providing Technology Training credit

The views and opinions expressed are those of the individuals and do not necessarily represent official policy, position or views of the North Carolina Bar Association.

SAVE THE DATE

2022 Privacy & Data Security Section Program

Thursday, October 6, 2022

PROGRAM DETAILS

Speakers

- **Alicia Bowers**, Atrium Health, Charlotte
- **Tara N. Cho**, Womble Bond Dickinson (U.S.) LLP, Raleigh
- **Matthew A. Cordell**, VF Corporation, Greensboro
- **Clara Cottrell**, BASF Corporation, Raleigh
- **Jay Exum**, Asurion, Raleigh
- **Roy Iverson**, Fortalice Solutions LLC, Washington, D.C.
- **Elizabeth H. Johnson**, Wyrick Robbins Yates & Ponton LLP, Raleigh
- **Tom MacKenzie**, Privacy and Security Consultant, Greensboro
- **Molly F. Martinson**, Wyrick Robbins Yates & Ponton LLP, Raleigh
- **Peter N. McClelland**, Ward and Smith PA, Raleigh
- **Karin M. McGinnis**, Moore & Van Allen PLLC, Charlotte
- **Hayden McKaskle**, Palo Alto Networks, Nashville, TN
- **Brian Oten**, NC State Bar, Raleigh
- **Lynn C. Percival IV**, Wyrick Robbins Yates & Ponton LLP, Raleigh
- **Shannon Ralich**, Zendesk, Raleigh

Planners

- **Tiffany M. Burba**, Parker Poe Adams & Bernstein LLP, Raleigh
- **Angela P. Doughty**, Ward and Smith PA, New Bern
- **Molly F. Martinson**, Wyrick Robbins Yates & Ponton LLP, Raleigh
- **Peter N. McClelland**, Ward and Smith PA, Raleigh
- **Karin M. McGinnis**, Moore & Van Allen PLLC, Charlotte

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Live Webcast (934LWC)

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2021 Privacy & Data Security Section Program

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REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated, early discount rate percentage is approximate. Registrations may be capped and may include an overflow room with additional seating. **CHANGES TO EXISTING REGISTRATIONS:** Should an attendee need to cancel his or her registration to an In-Person Live, Live Webcast, Rebroadcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a \$75 administrative fee. An attendee may choose to transfer his or her registration at a program to the In-Person Live or Live Webcast format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to an In-Person Live or Live Webcast program only; Substitution means sending another person to attend the In-Person Live or Live Webcast program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at askcle@ncbar.org or by calling 919.677.0561. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On-Demand registrations, cannot be canceled, substituted or transferred once purchased. **NO-SHOWS:** Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in or log in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a \$75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. **MISCELLANEOUS:** The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee's image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.

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