



Privacy and Data Protection



About the Firm




Shipman & Goodwin offers a multi-disciplinary team of experienced lawyers who have been counseling clients on data issues for many years. In addition to their practices, several of them are involved in professional activities and associations that keep them abreast of key trends and developments in data privacy and protection.

Shipman & Goodwin has sophisticated knowledge in a wide variety of industry sectors, and since our founding in 1919, we have offered a cross-disciplinary approach to legal services. Our size and location enable us to have a cost structure that provides our clients with efficient and high-value legal solutions. We are committed to our clients, to understanding their needs and priorities, and to producing practical and effective solutions to their legal issues. With more than 175 lawyers, the firm is large and diverse enough to handle the most sophisticated legal work, yet small enough that each client is important. We regularly represent clients in matters throughout the country and globally. Our long-standing relationships are a matter of great pride, and we strive to achieve an ongoing role as counselor and business partner.

Privacy and Data Protection

Privacy and data protection has become a significant concern for businesses and individuals in all sectors of the economy, including health care, education, insurance, banking, finance and defense. The proper protection of data is vital to commercial success, preventing adverse public relations and achieving regulatory compliance.

Today's businesses collect, transfer, and store a wide range of data on a daily basis. These records often contain vast amounts of sensitive and personal information which, if lost or misused, would create significant business risk. In addition to protecting our clients' data on the front end, we vigorously protect their interests if the unfortunate case of a breach or data incident does occur. We have a consistent record of assisting leading companies in a variety of industries with privacy and data protection matters. Our knowledge has increased with our client base to include health corporations, academic centers, insurance companies, federal organizations and a variety of other public and private sector clients.



The team of attorneys we have assembled has been counseling clients on this issue for many years. The Chair of our Data Privacy Team, Bill Roberts, was selected by the American Bar Association to participate as a Business Law Fellow, where he focuses on data privacy, telemedicine and the intersection of healthcare and technology. Partner Cathy Intravia is co-leader of the International Association of Privacy Professionals (IAPP) Connecticut Knowledge Net and a member of the American Bar Association's Intellectual Property Committee on Software and Cloud Computing; she is also a Certified International Privacy Professional. Partner Dan Schwartz is the author of the independent Connecticut Employment Law Blog, which includes posts relating to privacy and social media issues pertaining to employers; for the last 5 years, the ABA journal has named it one of the top 100 law blogs produced by lawyers.

Our team offers a comprehensive approach to our clients' needs with an extensive skill-set in counseling and litigation capabilities, covering numerous aspects of privacy and data protection. Whether developing a privacy policy, advising on a data breach regulatory investigation, or crafting strategic company data protection guidelines, we have the proficiency required to assist our clients in navigating the increasingly complex and changing landscape of laws and regulatory requirements they are faced with.

We counsel clients on the following types of matters:

- Evaluating of privacy and data protection risk profiles
- Developing strategies to build efficient privacy infrastructures
- Establishing compliance programs for early detection of privacy concerns
- Establishing and maintaining compliance hotlines
- Developing licensing and data sharing agreements
- Guidance on conducting investigations and providing notifications when a breach has occurred
- Representation before federal and state agencies during investigations of breaches
- Drafting and implementing company privacy and data protection policies
- Advising on employee records issues and employees use of email and social media tools
- Complying with domestic data protection laws

Representative Experience

Some past relevant matters include:

- Served as general outside privacy counsel to two Fortune 100 health insurance companies, providing advice on all aspects of HIPAA, GINA, the Children's Online Privacy Protection Act, data sharing and access agreements, breach and security incident response and the safeguarding of personal information.
- Advised on nearly 150 data privacy breaches for clients in the health care, education, insurance and professional services sectors.
- Advised international publishing and technology firm on data privacy compliance and contractual matters.
- Consulted and directed start-up technology firm on the creation of compliance software for the health care industry.
- Counseled health care providers, from independent practices to large, regional health care delivery systems, in compliance with HIPAA, HITECH, state privacy laws, substance abuse confidentiality statutes and the handling of sensitive patient information.
- Represented Access Health CT, the State's health insurance exchange, in connection with the development and launch of one of the country's first all-payer claims databases (APCD). Assisted Access Health CT in its development of a vendor data management agreement for claims data, and continue to advise on data use, intellectual property, privacy and security matters.
- Represented clients in numerous data privacy investigations, including those resulting from employee data theft, 'ransomware' attacks, international hacking and corporate espionage.
- Advised start-up information technology company on development of a mobile app for the health care industry.
- Developed privacy protection policies for a regional electric grid operator and provided advice regarding compliance with state privacy and data security laws.

OUR PRIVACY AND DATA PROTECTION TEAM



William J. Roberts, Chair - (860) 251-5051 or wroberts@goodwin.com

Bill is a Partner in Shipman & Goodwin LLP's Health Law Practice Group and is the Chair of the firm's privacy and data protection team. Bill focuses his practice on health care corporate, regulatory, data privacy and compliance matters. He represents hospitals and health systems; health insurance companies; behavioral health providers; medical device and pharmaceutical companies and a variety of other public and private sector clients, including software and technology firms. Bill routinely advises clients on data privacy and security laws, particularly as those laws intersect with the health care industry. He prepares comprehensive privacy and data security programs and policies for businesses, and regularly counsels clients regarding the collection, use, retention, disclosure, transfer and disposal of protected health information and personal information. Bill has assisted clients navigate and remediate over 150 data breaches.



Catherine F. Intravia - (860) 251-5805 or cintravia@goodwin.com

Catherine practices in the areas of intellectual property, technology, data protection and privacy, and information governance matters. She regularly represents clients with respect to the development and negotiation of software, technology and data privacy and protection agreements, data and software licensing, non-disclosure and confidentiality agreements; e-commerce and related internet issues, including website terms of use and privacy statements, and information governance issues. She regularly counsels clients on intellectual property protection and licensing matters and on matters related to data protection, privacy, and security and e-discovery and information retention and destruction policies. In the information governance area, she has significant experience with personal information privacy matters, data breach notification requirements, written information security programs, records retention policies, and compliance with federal laws, state laws and related implementing regulations' privacy and information security requirements.



Daniel A. Schwartz - (860) 251-5038 or dschwartz@goodwin.com

Daniel A. Schwartz represents employers in a broad spectrum of employment law matters such as employment discrimination, restrictive covenants, human resources, retaliation and whistle blowing, data privacy and wage and hour issues. Dan is a member of the firm's privacy and data protection team, which uses a multi-disciplinary approach to providing advice to clients on various industries. Dan has experience in drafting policies and procedures for clients to protect employee data, and has provided advice to clients dealing with data breaches involving sensitive employee information. Moreover, Dan has litigated matters to enforce restrictive covenants enabling companies to protect their trade secret or confidential information.



Gwen J. Zittoun - (860) 251-5523 or gzittoun@goodwin.com

Gwen Zittoun practices in the area of school law. She represents boards of education and school districts in relation to special education, Section 504, ADA, student discipline, Title IX, restraint and seclusion, student data privacy and general education matters. She frequently supports school districts in special education mediations, due process hearings, and federal court actions, and provides legal counsel on a variety of special education issues. Gwen takes a significant role in reviewing, analyzing and drafting proposed contracts and model documents in relation to Connecticut's student data privacy law, both at the local and state level.

Alexander P. Cox - (860) 251-5236 or acox@goodwin.com

Alexander Cox practices in the area of business litigation. While in law school, Alexander served as an intern with the Office of The Attorney General, where he worked on issues related to consumer protection and data privacy and security. As a member of our privacy and data protection team, he assists in discovery and negotiations with companies who have been subject to breach and may be under multistate investigation.

Alfredo G. Fernandez - (860) 251-5353 or afernandez@goodwin.com

Alfredo is a member of our Government Investigations and White Collar Criminal Defense Group, with a focus on International Trade Compliance and Enforcement. He works with clients on compliance and enforcement matters involving the International Traffic in Arms Regulations (ITAR), the Export Administration Regulations (EAR), and other related U.S. laws and policies affecting international trade and business, including sanction regulations, customs laws, and antiboycott regulations. He assists clients to design and conduct internal investigations, prepare voluntary disclosures, and draft internal compliance policies and procedures. Alfredo has assisted several multinational companies in assessing compliance with U.S. export regulations by investigating sensitive data protection configurations and foreign person access credentials. He also advises clients on the developing area of “cyber-related sanctions,” which focuses on harms caused by malicious cyber-enabled activities.

Stephen M. Forte - (212) 376-3015 or sforte@goodwin.com

Stephen Forte’s practice is primarily focused on commercial and business litigation in the state and federal courts with an emphasis on lender liability and creditors’ rights litigation and defense of federal and state regulatory and consumer protection statutes, including high-cost loan and consumer fraud acts and various federal statutes. Stephen’s experience also includes handling appeals, consumer finance litigation, landlord/tenant, residential and commercial foreclosure, loss mitigation/workouts, title and mortgage banking law, contract disputes and intellectual property, as well as providing general counsel advice to startup businesses. Stephen also dedicates a portion of his time to the area of privacy and data protection, primarily with respect to financial institutions or finance-related matters.

Stephanie M. Gomes-Ganhão - (860) 251-5239 or sgomesganhao@goodwin.com

Stephanie Gomes-Ganhão assists healthcare providers with respect to corporate, regulatory and data privacy matters. As a member of the firm’s privacy and data protection team, she regularly assists with establishing compliance programs for early detection of data privacy concerns.

Christopher A. Tracey - (203) 324-8155 or ctracey@goodwin.com

Chris represents public school districts in all areas of school law, and has a particular experience regarding special education, education reform, and budgetary matters, including issues related to Connecticut’s statutory “Minimum Budget Requirement.” Chris is a member of the firm’s privacy and data protection team, and assists schools and colleges and universities with data privacy and protection compliance.





289 Greenwich Avenue
Greenwich, CT 06830-6595
203-869-5600

One Constitution Plaza
Hartford, CT 06103-1919
860-251-5000

265 Church Street - Suite 1207
New Haven, CT 06510
203-836-2801

400 Park Avenue - Fifth Floor
New York, NY 10022-4406
212-376-3010

300 Atlantic Street
Stamford, CT 06901-3522
203-324-8100

1875 K St., NW - Suite 600
Washington, DC 20006-1251
202-469-7750

www.shipmangoodwin.com



These materials have been prepared by Shipman & Goodwin LLP for informational purposes only, are not intended as advertising and should not be construed as legal advice. This information is not intended to create, and receipt of it does not create, a lawyer-client relationship. Please note that prior results do not guarantee a similar outcome in other matters or cases, as each case has a unique set of facts and circumstances.