From: Cybersecurity & Privacy Law360
Sent: Thursday, August 23, 2018 5:01 AM
To: mark.graff@noaa.gov
Subject: SEC Rejects 9 Proposed Bitcoin Exchange-Traded Funds

CYBERSECURITY & PRIVACY

Thursday, August 23, 2018

TOP NEWS

SEC Rejects 9 Proposed Bitcoin Exchange-Traded Funds

The U.S. Securities and Exchange Commission rejected applications for nine separate bitcoin-based exchange-traded funds on Wednesday, once again thwarting an attempt to build an ETF product based upon the volatile cryptocurrency. Read full article »

Ga. Voters Fight State Opposition To Paper Ballot Switch

A voting integrity group and several Georgia residents have doubled down on their bids to force the state to replace its allegedly insecure and unreliable electronic voting system with paper ballots, telling a federal court that the relief they request can and must be implemented before upcoming elections. Read full article »

Feature

What To Watch As Privacy Shield Data Pact Scrutiny Heats Up

The Privacy Shield data transfer mechanism will soon face its latest and potentially most serious test as European Union and U.S. officials gear up to review the pact for a second time, and experts predict that its continued viability is likely to hinge on how much weight EU policymakers choose to give to competing input from their U.S. counterparts and EU lawmakers. Read full article »

Atty Admits Cyberstalking Woman With Email, Blog Threats

A lawyer who was jailed in June on allegations of a long campaign of harassment targeting a woman he briefly dated admitted to a count of cyberstalking on Wednesday, telling a federal judge in Manhattan that he "very much" knew his threatening emails and blog posts were illegal. Read full article »

DOD Detainee Photos Exempt From FOIA, 2nd Circ. Says

The U.S. Department of Defense adequately supported its finding that certain photographs of military detainees taken at facilities in Iraq and Afghanistan are exempt from disclosure under the Freedom of Information Act for security reasons, the Second Circuit has ruled, reversing a district court's decision. Read full article »

POLICY & REGULATION

CTIA Unveils Internet Of Things Cybersecurity Certification

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Wireless industry trade association CTIA announced the creation Tuesday of a new certification program to sign off on the cybersecurity in cellular-connected devices that are part of the so-called internet of things. Read full article »

Firms Must Embrace Ongoing Training To Thwart Cyberattacks

Maintaining security is a process that businesses must continually cultivate and reevaluate as law firms and companies of all sizes face unprecedented challenges from cyberattacks, a group of panelists said Wednesday during an American Bar Association webinar. Read full article »

LITIGATION

Debt Collector Must Face Claim Over Voicemail, 3rd Circ. Says

The Third Circuit on Wednesday revived a putative class action alleging a debt collector violated federal law when it didn't use its actual corporate name in a voicemail, reasoning in a precedential decision that the use of an alternative business moniker was enough to support a Fair Debt Collection Practices Act allegation. Read full article »

Men's Wearhouse Agrees To Settle Robotext Suit For $1.8M

Men's Wearhouse Inc. has agreed to pay $1.8 million to settle class action allegations that it violated the Telephone Consumer Protection Act by texting customers too many advertisements, according to a bid for settlement approval filed in California federal court Tuesday.
Read full article »

Chase Says Landry's Atty Can't Be A Witness In $20M Suit

JPMorgan Chase's payment processing arm Paymentech told a Texas federal judge that a Ropes & Gray attorney for Landry's Inc. is violating state ethics rules by trying to act as both an advocate and a witness in a $20 million breach of contract lawsuit, saying the attorney's declaration in a summary judgment motion should be stricken. Read full article »

Kanye Fans Seek Cert. In Suit Over Tidal Release Tweet

A group of Kanye West fans who claim they were tricked into subscribing to the Tidal music service and relinquishing personal information have asked a New York federal judge to certify them as a class, arguing they were all subject to the same lie in one of the rapper's tweets. Read full article »

PEOPLE

Blockchain Developer Hires Clifford Chance Finance Partner

A Cayman Island-based blockchain developer has announced that it will be snapping up a finance partner from Clifford Chance LLP's London office to head its legal, regulatory and compliance activities. Read full article »

EXPERT ANALYSIS

Clarity On Overlapping Background Check Laws In Calif.

On Monday, in Connor v. First Student, the California Supreme Court found the state's Investigative Consumer Reporting Agencies Act was not unconstitutionally vague as applied to employer background checks, despite overlap with the Consumer Credit Reporting Agencies Act. As a result, consumer reporting agencies should carefully review their products to assure compliance, say attorneys with Troutman Sanders LLP.
Read full article »

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GOVERNMENT AGENCIES

California Supreme Court

Feature

Cohen Plea Brings Kavanaugh's Indictment Views To The Fore

Michael Cohen's courtroom accusation Tuesday that President Donald Trump directed him to break federal campaign finance law has put renewed attention on U.S. Supreme Court nominee Brett Kavanaugh's suggestion that a sitting president can't be indicted. Read full article »

Analysis

Cohen Guilty Pleas Bode Poorly For Trump Privilege Stance

Michael Cohen's admissions that he broke federal tax and campaign finance laws — and his direct implication of his former client, Donald Trump, in two of those crimes — will severely restrict the president's ability moving forward to argue that related communications with Cohen are shielded by attorney-client privilege, experts say. Read full article »

Federal Bench Nominees Duck Questions On Roe, Immigration

Nominees for the federal bench, including a candidate for the Eighth Circuit, punted on questions related to loaded political issues at a Senate Judiciary Committee hearing Wednesday morning, as senators grilled them on their positions on fraught topics such as immigration and abortion rights. Read full article »

Morgan Lewis Continues IP Expansion, Adds 9-Partner Team

Morgan Lewis & Bockius LLP has added a nine-partner intellectual property team focused on patent prosecution and litigation from McDermott Will & Emery in Orange County, California, the firm announced Wednesday. Read full article »

BigLaw Innovators Tell How To Beat The Status Quo

BigLaw change-makers from Troutman Sanders LLP, Orrick Herrington & Sutcliffe LLP, Littler Mendelson PC and Freshfields Bruckhaus Deringer LLP took the stage Wednesday at a legal technology conference in Maryland to share stories about how they were able to shake things up in an industry not known for embracing risk. Read full article »

Ex-ABA Employee Accused Of Stealing $1.3M In Cellphones

A former American Bar Association finance administrator has been arrested on felony theft charges alleging she stole nearly 2,000 cellphones and 10 iPads worth nearly $1.3 million that she ordered in the name of the association during an eight-year period, according to a filing by prosecutors. Read full article »

Reed Smith Atty's Widow Loses $3M GSK Verdict On Appeal

The Seventh Circuit ruled in favor of GlaxoSmithKline on Wednesday in the drug company's appeal of a $3 million jury award to the widow of a Reed Smith LLP partner who committed suicide while taking a generic version of Paxil, saying federal law barred the pharmaceutical company from adding a warning about the risk of suicide in adults. Read full article »

Interview

Law Firm Leaders: DLA Piper's Roger Meltzer

Roger Meltzer has served as global co-chair of DLA Piper for the past three years, before which he served as its co-chair of the Americas for two years. During that time, the law firm added six offices and nearly 200 attorneys, and increased its annual revenue by $150 million. Read full article »

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