

People



## Eric S. Levy

Special Counsel, Litigation

Dallas

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vCard

Eric Levy focuses his practice in the areas of information privacy, data breach response, and insurance coverage.

Eric's counsel on privacy and cybersecurity compliance includes drafting privacy policies and notices, and negotiating contracts allocating data protection and data gathering risks. Eric has experience with sector-specific privacy regulations, including the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA), as well as location specific privacy laws such as the California Privacy Rights Act and the Colorado Privacy Act. Eric holds the Certified Information Privacy Professional/United States (CIPP/US) credential from the International Association of Privacy Professionals.

Eric understands the reputational and financial costs of a data breach, and works to represent clients during the incident investigation, advise on U.S. and international breach notification requirements, and provide support and counsel throughout the breach response.

Eric also has extensive experience advising insurers and analyzing coverage under a wide range of primary and excess policies, including environmental liability, commercial general liability, cyber risk, directors and officers liability, employee benefits, marine liability, and omnibus crime policies.

### Notable Work

**Data Privacy and Cybersecurity:** Counseled major online retailer on response to data breach that exposed credit card information of hundreds of thousands of consumers from all 50 states and several foreign countries. Drafted compliant notices to affected consumers, over thirty state regulatory bodies, and credit reporting agencies; prepared talking points for call center set up to handle consumer inquiries; and processed requests for additional information from regulators.

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### Areas of Experience

Litigation  
Data Privacy and Security  
Insurance Litigation  
PFAS Litigation and Regulatory Counseling

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### Education

J.D., University of Texas at Austin, 1992  
M.A., University of Exeter; Exeter, England, English, 2005  
M.F.A., University of Exeter; Exeter, England, Drama, 2003  
B.A., University of Texas at Austin, 1989, summa cum laude

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### Admissions

#### Bars

Texas

#### Courts

U.S. District Court, Eastern District of Texas  
U.S. District Court, Northern District of Texas

**HIPAA Compliance:** Advised medical supply retailer on HIPAA implications of large scale data integration project, including drafting of business associate agreements, revised privacy policies and notices, and patient authorizations.

**Insurance Coverage:** Analyzed and resolved scores of claims against pollution insurer demanding coverage for property damage, disinfection costs, and business interruption losses allegedly arising from the COVID-19 pandemic.

## Published Work and Lectures

- *Security Magazine*, Co-Author, “New York’s DFS publishes a Cyber Insurance Risk Framework,” March 11, 2021
- The Knowledge Group Webinar, Speaker, “Data Breach Litigation: Recent Trends and Developments,” June 20, 2018
- *The Texas Lawyer*, Author, “Careful: Your Refrigerator May Be Listening (Think IoT),” December 2017
- Lorman Education Services Webinar, Speaker, “Protecting Privacy and Security in the Workplace,” July 20, 2017
- Dallas Minority Attorney Program Presentation, Speaker, “Data Breach: Saga of a Safe Computer,” April 7, 2017
- *Financier Worldwide Magazine*, Author, “Legal Strategies for Responding to Cyber Intrusions Around the World,” March 15, 2017
- Dallas Bar Association Headnotes, Author, “Mitigating Legal and Business Risks for Cyber Intrusions,” January 23, 2017
- Lorman Education Services Webinar, Speaker, “Legal Risks for Cyber Intrusions of Healthcare,” November 29, 2016
- Dallas CPA Society, Speaker, “What CPAs Need to Know About the Legal and Ethical Risks of Cyber Intrusions,” October 26, 2016
- Dallas Bar Association Headnotes, Author, “What to Do When (Not If) Your Company Gets Hacked,” October 24, 2016
- Westlaw Journal, Author, “Keep Calm and Prepare Now for Eventual Brexit,” August 16, 2016
- *Financier Worldwide Magazine*, Author, “Spear Phishing – Don’t Get Caught,” June 2, 2016
- *Financier Worldwide Magazine*, Author, “Legal Risks of Internet Business,” February 17, 2016
- *National Paralegal Reporter*, Author, “Cyber Intrusions in the Cloud and Legal Risk,” February 1, 2016

## Affiliations

- Bar None Production Company, Writer and Performer
- Junior Achievement Dallas, Classroom Instructor
- Leadership Arts Institute for Collin and Denton Counties
- University of North Texas Dallas College of Law, Adjunct Professor

## Honors and Distinctions

- Certified Information Privacy Professional – United States (CIPP/US)