

In The News

Jordan Cohen Discusses Data Privacy Concerns Raised by 23andMe Bankruptcy Sale

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On June 27, 2025, a bankruptcy judge approved the sale of genetic data by genomics company 23andMe, portending increased regulatory scrutiny as states look to close privacy law loopholes. Since the DNA testing company filed for bankruptcy in March, more than 30 states objected to the sale of such a sensitive asset; most states' concerns have since been resolved, but California, Kentucky, Tennessee, Texas, and Utah remain opposed, arguing that data sales without a customer's explicit consent is a violation of privacy rights. With the judge's sign-off on the sale, those states are now likely to shift their efforts to putting increased pressure on the buyer, Akerman Healthcare Partner and Digital Health Chair Jordan Cohen told *Bloomberg Law*.

"It looks like we're getting close to the end of the story of whether the transaction is going to close, but definitely not in terms of the privacy-related aspects of this," Jordan said. "I imagine there'll be some pretty rigorous oversight from state regulators over this."

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