

*This is your Release #7 (June 2020)*

# **Proskauer on Privacy**

## ***A Guide to Privacy and Data Security Law in the Information Age***

**Second Edition**

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**Editor**

*Proskauer on Privacy* provides essential guidance to organizations on how to develop compliance programs, ensure data privacy and security, prevent cybercrime, and avoid or minimize fines, penalties, litigation, damages, and negative publicity.

Chapters on the following topics are updated in this release:

- Medical Privacy (chapter 3)
- Data Breach Litigation (chapter 17)
- Location Privacy: Technology and the Law (chapter 18)

Some of the recent developments discussed include:

**Civil penalties for HIPAA violations:** In April 2019, HHS established new annual civil monetary penalty limits for each of the four penalty tiers in the HITECH Act. *Section 3:2.7, Sanctions for Violations of Privacy and Security Rules.*

**Arbitration of data breach claims:** Recent decisions have addressed motions to compel arbitration of data breach claims against FriendFinder and Uber. *New section 17:3.3, Motion to Compel Arbitration.*

**Recent settlements for data breaches:** Several recent settlements for data breaches include ones involving Equifax, Premiera Blue Cross, Banner Health, and Chipotle. *Section 17:5, Noteworthy Settlements.*

**Cell Site Location Information:** State courts in Kentucky and Massachusetts have recently ruled that governments must obtain warrants in most cases to obtain real-time cell site location information, finding that Fourth Amendment protections are triggered in such cases. *Section 18:3.2, Government Requests for CSLI.*

*(continued on reverse)*

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**Use of Drones by Law Enforcement:** In Virginia, while a warrant is generally required for law enforcement to use drones in criminal investigations, the state now recognizes several situations in which drone use is permissible without a warrant. *Section 18:5.2, State Legislation.*

Thank you for purchasing to *Proskauer on Privacy*. If you have questions about this product, or would like information on our other products, please contact customer service at [info@pli.edu](mailto:info@pli.edu) or (800) 260-4PLI.

## FILING INSTRUCTIONS

# Proskauer on Privacy

## *Second Edition*

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