# **Ballard Spahr**

You've Been Hacked, Now What? Cybersecurity Considerations and Legislative Updates Tuesday, December 5, 2023

### **Panelist Profiles**

#### **Moderator:**



**Celia Cohen** Ballard Spahr LLP 1645 Broadway, 19<sup>th</sup> Floor New York, NY 10019 646.346.8002 cohenc@ballardspahr.com

#### **Panelists:**



**Douglas Bloom** Morgan Stanley 1633 Broadway New York, NY, 10019 Douglas.Bloom@morganstanley.com

**Celia Cohen** is a litigator and adviser who represents financial institutions and corporate clients in white collar defense, regulatory compliance, internal and government investigations, and related civil actions. Her significant experience across industries includes private practice as well as roles as a federal prosecutor and in-house counsel at one of the world's largest financial institutions.

Celia has experience leading legal and trial teams in regulatory compliance and enforcement, as well as in court and alternative dispute resolution forums. A former Assistant U.S. Attorney in the Eastern District of New York, Celia understands how the DOJ, SEC, and other government agencies conduct investigations and make prosecution decisions. In her role, she handled cases involving securities fraud, international wire fraud, cybercrime, and health care fraud, and successfully tried cases involving terrorism, racketeering, and murder.

As former Assistant General Counsel at JPMorgan Chase, Celia led internal investigations for the bank's Government, Investigations & Regulatory Enforcement Group. She oversaw complex investigations spanning multiple jurisdictions, and represented the bank in response to whistleblower matters and government inquiries. In private practice, Celia has more than 15 years of experience representing financial institutions, business technology companies, and other clients spanning a variety of industries.

Celia has successfully overseen matters involving the SEC, DOJ, FINRA, Office of the Comptroller of Currency, Federal Reserve Bank, Office of Foreign Assets Control, state and federal prosecutors, and other federal and local law enforcement agencies. She has successfully handled cases involving allegations of fraud, bribery, money laundering, antitrust, insider trading, market manipulation, and violations of the Sarbanes-Oxley Act, Foreign Corrupt Practices Act, False Claims Act, and related statutes.

**Douglas Bloom** is a Managing Director and Co-Head of Cybersecurity & Privacy for Morgan Stanley's Legal & Compliance Division. In that role, he is responsible for the Firm's legal response to cybersecurity, fraud, and operational resilience matters—including incident response, regulatory examinations and new legislation affecting the Firm. Doug is also responsible for privacy matters affecting the Firm's personnel and client base. Doug has over 20 years' experience investigating all aspect of financial and computer crimes—having served as a federal prosecutor, criminal defense lawyer and software developer.

Prior to joining Morgan Stanley, Doug was a Director in PwC's Cybercrime and Breach Response practice, the leader of the Firm's Cybersecurity Risk & Regulatory Practice, and a member of the Firm's Financial Crimes Unit. At PwC, Doug assisted clients across the globe, responding to regulatory changes, conducting cybercrime, fraud and economic espionage investigations, corporate internal investigations and handling breaches of PwC's clients' computer networks. In addition, as a leader of the Firm's cybersecurity Board governance program, Doug regularly advised clients and their Boards on proper governance of cybersecurity programs and assisted clients in the development of their cybersecurity Board reporting programs.

Prior to joining the PwC, Doug was a federal prosecutor in the United States Attorney's Office for the Southern District of New York, where he investigated and prosecuted national security

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cyber offenses, including economic espionage, hacking of national defense and government systems, and the theft of trade secrets. In addition to his cyber work, Doug investigated and prosecuted several high-profile public corruption and accounting fraud cases, and convicted the former majority leader of the New York State Senate and acting Lieutenant Governor of New York State of bribery and extortion. Doug is a 2015 recipient of the Attorney General's John Marshal Award, the highest attorney honor granted by the Department of Justice, and a 2013 recipient of the Federal Law Enforcement Foundation's Prosecutor of the Year award.

Prior to joining the U.S. Attorney's Office, Doug was an associate in Covington & Burling's white collar criminal defense and intellectual property practices where he investigated and litigated criminal and civil accounting fraud, tax fraud, and patent infringement cases.

Doug brings deep technical expertise to his legal role, having served as a software engineer and program manager for Xerox's Palo Alto Research Center, Microsoft and Hewlett Packard. In those roles, Doug designed and developed artificial intelligence algorithms for natural language processing software and drivers for network management systems.

Doug is an Adjunct Professor of Law at Fordham University, where he teaches a course on computer crimes. He is also a published author—whose articles on cybercrime and insider threats regularly appear in the New York Law Journal—and frequent speaker on cybersecurity, fraud, and information management. He has presented to and taught courses for the Department of Justice, FINRA, the Association of Corporate Counsel, the National Association of Corporate Directors and various universities, businesses and industry participants.

He received a Bachelor's degree in Symbolic Systems and a Master's degree in Linguistics from Stanford University. He received a Juris Doctor, cum laude, from Harvard Law School. He is admitted to the New York bar, the U.S. District Courts for the Southern and Eastern Districts of New York, and the U.S. Court of Appeals for the Second Circuit, and is an active member of the Federal Bar Council where he serves on both the Criminal Practice and Westchester County Committees.



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**Mia C. Korot** is a member of the Cybersecurity, Global Security, Data Protection and Privacy legal practice group at JPMorgan Chase & Co. In that role, she is primarily responsible for providing counsel to the firm's Cybersecurity Technology & Controls and Global Security functions. This includes cybersecurity preparedness and incident response, physical security, strategic threats, insider risk and policy and advocacy.

Mia was previously a member of JPMorgan Chase & Co.'s litigation department where she represented the firm in government investigations, regulatory inquiries and employment related matters. Prior to joining JPMorgan Chase & Co., Mia was a litigation attorney at Milbank LLP.

Mia has a Juris Doctor from Villanova University School of Law and a Bachelor's degree from Middlebury College.

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**Will McKeen** is a Supervisory Special Agent with the FBI's Cyber Division where he provides national support to investigations into a wide range of cyber crime and cyber-enabled fraud investigations. Previously he led investigations into cyber crime rings responsible for hundreds of millions of dollars in losses to American companies and individuals while assigned to the New York Cyber Task Force. Notable among his time on the Cyber Task Force is his work on multiple insider investigations within the financial sector, large scale disruptions of business email compromise networks, and the investigation and apprehension of multiple COVID-19 fraudsters. In addition, SSA McKeen has served in the FBI's Legal Attaché's office in Accra, Ghana and Frankfurt, Germany. He is a certified Cyber Field Instructor, a member of the Crisis Negotiation Team, and a certified online covert employee.

**Phil Yannella** is a litigator and a Practice Co-Leader of Ballard Spahr's Privacy and Data Security Group. In his role, Phil regularly counsels clients on data, privacy, and cybersecurity issues relating to the use of digital information. He represents financial institutions, media organizations, tech companies, online platforms, life sciences companies, global manufacturers, gaming companies, and higher eds.

Phil has counseled and represented clients in a wide array of privacy and data security litigations including lawsuits filed under the Telephone Consumer Protection Act (TCPA), Defense of Trade Secrets Act (DTSA), Computer Fraud and Abuse Act (CFAA), Stored Communications Act (SCA), Video Privacy Protection Act (VPPA), and Illinois Biometric Information Protection Act (BIPA), as well as state wiretap and data breach class actions and website accessibility claims. He has extensive experience coaching clients through data breaches. He has handled over 500 breaches for clients to date, managing breach notification in all 50 states and more than 35 foreign jurisdictions, and has led the defense of numerous regulatory investigations relating to data breaches, including those brought by state Attorney Generals, the OCC, NY DFS, the UK Information Commissions Office (ICO), and Canadian privacy regulators.

In addition, Phil regularly advises clients on compliance with federal, state, and international data protection laws including California, Virginia, Colorado, Connecticut, and Utah state privacy laws, COPPA, HIPAA Security Rules, the General Data Protection Regulation (GDPR), UK Data Protection Act, UK Age Appropriate Design Code, and ePrivacy Directive. He works closely with banks and other financial institutions on compliance with the privacy and security components of the Gramm Leach Bliley Act (GLBA), Interagency Guidelines, NY DFS cyber-regulations, and PCI-DSS. He is accredited as a Certified Information Privacy Professional (CIPP/US).

Phil is a frequent commentator, presenter, and author on legal issues related to data privacy, cybersecurity, and information governance. He has received multiple Readers' Choice awards from *JD Supra* for his writing on cybersecurity issues. He is the author of *Cyber Litigation* (Thomson Reuters, March 2021). He has been named to *The Legal 500* US, Dispute Resolution.

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