



## W. Scott Kim

Associate

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Scott Kim is an associate in the firm's Litigation department, where he represents clients in a variety of litigation contexts from pre-suit investigation through appeal and judgment collection.

### Representative Matters

- Litigate RMBS breach of representations and warranties case through \$1.84 billion settlement a month into trial.
- Defended a firm sued for malpractice after a large commercial real estate project foundered.
- Defended a firm sued in connection with an insurer's malpractice claims related to an underlying litigation.
- Defended a Fortune 50 consumer products manufacturer defending allegations that its cosmetic talc products were contaminated with asbestos.
- Defense of claims against a non-profit organization relating to U.S. government-sponsored medical experiments in the 1940s.
- Represented pharmaceutical companies in recovery of fraudulently obtained rebates.
- Conducted investigations on behalf of a non-profit organization and professional sports league.

### Pro Bono

- Represents persons in connection with claims stemming from their treatment while in prison.
- Represented Syrian and Iranian immigrants in their humanitarian parole applications.
- Represented an Army veteran in his successful discharge upgrade application.
- Represented persons in action against their landlord for illegal eviction.

### Admissions

- New York

### Publications

- "*State Legislators Need to Provide Statutory Guidance on the Use of Stingrays and If They Do Not, Courts Should Rule on Them Instead*," 26 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 995 (2016)

## Education

- Fordham University School of Law (J.D., *magna cum laude*, 2017)
  - Order of the Coif
  - Associate Editor, *Fordham Intellectual Property, Media & Entertainment Law Journal*
  - Mary Daly Scholar
  - Archibald R. Murray Public Service Award
- Seton Hall University (B.S., *magna cum laude*, 2013)

## Data Security Law Blog

DataSecurityLaw.com is the firm's resource for the latest news, analysis, and thought leadership in the critical area of privacy and cybersecurity law. Patterson Belknap's Privacy and Data Security practice provides public and private enterprises, their leadership teams and boards with comprehensive services in this critical area. Our team of experienced litigators, corporate advisors and former federal and state prosecutors advises on a broad range of privacy and data protection matters including cyber preparedness and compliance, data breach response, special board and committee representation, internal investigations, and litigation.

November 9, 2023

### **New York's Department of Financial Services Amplifies its Cybersecurity Regulations**

On November 1, 2023, the New York State Department of Financial Services ("DFS") amended its cybersecurity regulations to institute additional standards and controls aimed at securing sensitive data among the financial services industry. The amendments require more robust governance,...

April 4, 2022

### **Ransomware Attacks Case Studies Provide Rare Learning Opportunities**

Ransomware attacks have become headline news in the mainstream media, and a hot topic not only on this blog but in government circles. And with good reason as the United States suffered a staggering 421.5 million ransomware attempts last...

September 2, 2021

### **Massive T-Mobile Data Breach Reignites Calls for National Privacy and Data Security Law**

A little over two weeks ago, T-Mobile became the latest victim of a cyberattack when more than 50 million of their customers' data was stolen. In the ensuing weeks, three class action suits have been filed against the telephone...

August 2, 2021

### **Are You Ready for Ransomware? CISA Launches New "Stop Ransomware" Website Aimed at Testing Your Cybersecurity Preparedness**

The federal government has been grappling with a holistic response to the massive uptick in destructive ransomware attacks that have bombarded the country in recent years. As part of that response, the Cybersecurity and Infrastructure Security Agency (CISA) recently...

June 24, 2021

### **New York City Enacts A Biometric Privacy Law**

Earlier this year, New York City passed a law restricting the collection and/or use of biometric technology by certain businesses. The new law goes into effect July 9, meaning applicable businesses have a couple more weeks to prepare...

April 5, 2021

### **Beeple, Top Shots, and the Blockchain of Collectibles: Securing the Value of an Original Digital Asset**

For this post, we welcome guest contributor Anne-Laure Alléhaut from the firm's Art and Museum Law practice group. Ms. Alléhaut, former Senior Vice President and Associate General Counsel of Sotheby's, Inc., concentrates her practice on all aspects of art...

September 21, 2020

### **Government Warns of New Cyber Threats Targeting U.S. Businesses**

The Cybersecurity and Infrastructure Security Agency (CISA) teamed up with the Federal Bureau of Investigation (FBI) to issue a joint warning of cyber-attacks emanating from Iran and targeting U.S. federal agencies and businesses. These hackers target vulnerabilities in virtual...

April 28, 2020

### **Privacy Suits Against Zoom and Houseparty Test the CCPA's Private Right of Action**

Over the past month, many have discovered video chat and conferencing apps such as Zoom and Houseparty, using them for both business and to keep connected to friends and family during this period of global social distancing . Increased...

January 27, 2020

### **Court Approves Historic Equifax Data Breach Settlement**

The aftermath from one of the largest data breaches in U.S. history is nearing the end, as the presiding judge approved a proposed class action settlement resolving claims arising from Equifax's September 2017 data breach . As previously reported...

September 16, 2019

### **Home Depot Joins Facebook and Others in Facing Suit for Scanning Faces**

This past week, The Home Depot, Inc. became the latest business hit with a class action lawsuit for their use of facial recognition security cameras allegedly in violation of the Illinois Biometric Information Privacy Act . If successful, Home...

July 9, 2019

### **New York's SHIELD Act Heads to the Governor's Desk**

The New York State Senate recently passed The Stop Hacks and Improve Electronic Data Security Act, or SHIELD Act , leaving only the Governor's signature as the final step to the SHIELD Act becoming the country's newest—and one of...

January 28, 2019

### **Illinois Biometric Law: Scanning Fingerprints Can Get You Sued**

In a ruling with wide-spread implications, the Illinois Supreme Court on Friday upheld a consumer's right to sue companies for collecting biometric data – such as finger prints and iris scans – without disclosing how such information will...

January 2, 2019

### **Texting Clients and Using Social Media? SEC Issues Compliance Reminder to Investment Advisers**

Investment advisers may want to think twice before texting clients any advice in the New Year. In a recently issued Risk Alert , the U.S. Securities and Exchange Commission's Office of Compliance Inspections and Examinations (OCIE) reminded investment...

September 20, 2018

### **Study Shows Banks Block 80% of Cyberattacks ... But is that Enough?**

In Accenture's 2018 State of Cyber Resilience for Banking & Capital Markets study, the consulting firm reported the rate at which cyber-attacks on banking and capital markets firms are successful dropped from 36 percent in 2017 to 15 percent...

June 25, 2018

### **Hospital Hit with \$4.3 Million Fine for "Snail's Pace" HIPAA Compliance**

Healthcare organizations take note: not following your own data security rules can be costly, very costly. And the more time it takes to comply, the faster the fines stack up. An administrative law judge recently upheld the fourth largest...

May 14, 2018

### **Wearable Technology Fits into Professional Sports**

Professional athletes, teams, and leagues have embraced wearable technology. But as this new technology becomes ubiquitous, a new category of valuable—and personally sensitive—data has emerged, raising novel data security issues and incentives for would-be hackers. Data analysis has spawned...

December 14, 2017

**Avatars, Facial Scans & Virtual Basketball: Second Circuit Tosses Biometric Privacy Case**

A recent federal appellate ruling delivered a significant blow to invasion of privacy claims based on facial recognition technology used to scan users' faces that are then put on their personalized players "in-game," allowing them to play side-by-side with...