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EDUCATION:

Yale Law School, J.D., June 1985
Yale Law Journal, Volume 94, Senior Editor

Brown University, B.A. 1981, *magna cum laude*
Honors in history and English, *Phi Beta Kappa*

PUBLICATIONS

BOOKS:

PRIVACY LAW FUNDAMENTALS 2015 (IAPP, 2015) (Daniel J. Solove, co-author)

PRIVACY LAW FUNDAMENTALS 2013 (IAPP, 2013) (Daniel J. Solove, co-author)

PRIVACY LAW FUNDAMENTALS (IAPP, 2011) (Daniel J. Solove, co-author)

INFORMATION PRIVACY LAW (ASPEN PUBLISHERS, 5th ed., 2014) (Daniel J. Solove, co-author)

CONSUMER PRIVACY & DATA PROTECTION (ASPEN PUBLISHERS, 1st ed., 2015)(Daniel J. Solove, co-author). Abridged, paperback version of INFORMATION PRIVACY LAW.

PRIVACY, LAW ENFORCEMENT & NATIONAL SECURITY (ASPEN PUBLISHERS, 1st ed., 2015)(Daniel J. Solove, co-author). Abridged, paperback version of INFORMATION PRIVACY LAW.

PRIVACY AND THE MEDIA AND PRIVACY LAW (ASPEN PUBLISHERS, 2d

ed., 2015)(Daniel J. Solove, co-author). Abridged, paperback version of INFORMATION PRIVACY LAW.

PRIVACY, INFORMATION, AND TECHNOLOGY (ASPEN PUBLISHERS, 3d ed., 2011)(Daniel J. Solove, co-author). Abridged, paperback version of INFORMATION PRIVACY LAW.

INFORMATION PRIVACY STATUTES AND REGULATIONS, 2010-2011 (ASPEN PUBLISHERS, 2008) (Daniel J. Solove, co-editor)

ON-LINE SERVICES, DATA PROTECTION LAW AND PRIVACY: REGULATORY RESPONSES (Official Pub.of the European Union, Brussels, 1998)(Joel R. Reidenberg, co-author). Study carried out for the Commission of the European Communities (DGXV) regarding on-line privacy in Belgium, France, Germany, and the United Kingdom.

DATA PRIVACY LAW (Michie Publishing/Lexis Law Publishing, 1996)(Joel R. Reidenberg, co-author)

ARTICLES, ESSAYS, CHAPTERS:

The Value of Privacy Federalism, in SOCIAL DIMENSIONS OF PRIVACY 324 (Beate Roessler & Dorota Mokorsinska, eds., Cambridge University Press, 2015)

Reconciling Personal Information in the European Union and United States, 102 CALIFORNIA LAW REVIEW 877 (2014) (Daniel J. Solove, co-author)

The EU-US Privacy Collision: A Turn to Institutions and Procedures, 126 HARVARD LAW REVIEW 1966 (2013)

Privacy in the Cloud, 161 UNIVERSITY PENNSYLVANIA LAW REVIEW 1623 (2013)

Systematic Government Access to Private-Sector Data in Germany, 2 INTERNATIONAL DATA PRIVACY LAW 289 (2012)

Reforming the concept of personally identified information: U.S. privacy law and PII 2.0 (with Daniel Solove), in NEUE REGULIERUNGSSCHUB IM DATENSCHUTZRECHT? 55 (Rolf H. Weber & Florent Thouvenin, eds.), Schulthess Verlag (Switzerland)(2012).

PII 2.0: Privacy and a New Approach to Personal Information, Privacy and Security Law Report, 11 PVLR 142 (January 10, 2012)(Daniel J. Solove, co-author)

The PII Problem: Privacy and a New Concept of Personally Identifiable Information, 86 N.Y.U. LAW REVIEW 1814 (2011)(Daniel Solove, co-author)

Regulating Data Mining in the United States and Germany: Constitutional Courts, the State, and New Technology, 53 WILLIAM & MARY LAW REVIEW 351 (2011)

Privacy, Ethics, and Analytics, 9 IEEE SECURITY AND PRIVACY 66 (Nr. 3, May/June 2011)

Data Protection Law and the Ethical Use of Analytics, PRIVACY AND SECURITY LAW REPORT, 10 PVLR 70 (January 10, 2011)

Prosser's Privacy *and the German Right of Personality: Are Four Privacy Torts Better than One Unitary Concept, 98* CALIFORNIA LAW REVIEW *1925* (2010)(Karl-Nikolaus Peifer, co-author)

Managing Global Data Privacy, 10 PRIVACY ADVISOR 14 (Number 1, Jan.-Feb. 2010)

Preemption and Privacy: Against a Federal Privacy Law, 118 YALE LAW JOURNAL 902 (2009)

Warrantless Wiretapping, FISA Reform, and the Lessons of Public Liberty: A Comment on Holmes' Jorde Lecture, 97 CALIFORNIA LAW REVIEW 407 (2009)

From Victorian Secrets to Cyberspace Shaming, Review Essay, 76 UNIVERSITY OF CHICAGO LAW REVIEW 1407 (2009)

Keeping Track of Telecommunications Surveillance, 52

COMMUNICATIONS OF THE ACM 24 (Sept. 2009)

The Future of Tax Privacy, 62 NATIONAL TAX JOURNAL 883 (2008)

Reviving Telecommunications Surveillance Law, 75 UNIVERSITY OF CHICAGO LAW REVIEW 287 (2008)

Data Mining and Internet Profiling: Emerging Regulatory and Technological Approaches, 75 UNIVERSITY OF CHICAGO LAW REVIEW 261 (2008)(Ira S. Rubinstein and Ronald D. Lee, co-authors)

Anonymous Disclsoure of Security Breaches (Edward J. Janger, co-author) in SECURING PRIVACY IN THE INTERNET AGE 221 (Anupam Chandler, Lauren Gelman & Margaret Jane Raden, eds., Stanford Law Books, 2008)

Technological Change: Networked Intelligence and Information Privacy (Ronald D. Lee, co-author) in CIVIL LIBERTIES AND NATIONAL SECURITY: A HISTORICAL PERSPECTIVE 189 (Daniel Farber, ed., Russell Sage Foundation, 2008)

Notification of Data Security Breaches, 105 MICHIGAN LAW REVIEW 913 (2007) (Edward J. Janger, co-author)

Privacy Inalienability and Personal Data Chips, in PRIVACY AND IDENTITY: THE PROMISE AND PERILS OF A TECHNOLOGICAL AGE (Katherine Strandburg & Daniela Stan Raicu, editors, Springer 2006)(abridged version of *Property, Privacy, and Personal Data*)

Review*, Beyond the War in Terrorism: Towards the New Information Network*,
(Reviewing PHILIP HEYMANN, TERRORISM, FREEDOM, AND SECURITY: WINNING WITHOUT WAR (2003) (Ronald D. Lee, co-author), 103 MICHIGAN LAW REVIEW 1446 (2005)

Privacy Inalienability and the Regulation of Spyware, 20 BERKELEY TECHNOLOGY LAW JOURNAL 1269 (2005)

Property, Privacy, and Personal Data, 117 HARVARD LAW REVIEW 2055 (2004)

Evaluating Telecommunications Surveillance in Germany: The Lessons of the Max Planck Institute Study, 73 GEORGE WASHINGTON LAW REVIEW 1244 (2004)

Lochner and *Eldred*: *Copyright Term Extension and Intellectual Property as Constitutional Property* (William M. Treanor, co-author), 112 YALE LAW JOURNAL 2331 (2003)

Review, *The New Privacy, Oversight of the Poor, and Total Information Awareness* (Reviewing JOHN GILLIOM, OVERSEERS OF THE POOR: SURVEILLANCE, RESISTANCE AND THE LIMITS OF PRIVACY (2001)) (William Treanor, co-author), 101 MICHIGAN LAW REVIEW 2163 (2003)

German and U.S. Telecommunications Privacy Law: Legal Regulation of Domestic Law Enforcement Surveillance, 54 HASTINGS LAW JOURNAL 751 (2003)

Voting Technology and Democracy, 77 NEW YORK UNIVERSITY LAW REVIEW 625 (2002)

The Gramm-Leach-Bliley Act, Information Privacy, and the Limits of Default Rules (Ted Janger, co-author), 86 MINNESOTA LAW REVIEW 1219 (2002)

Vote.com and Internet Politics: A Comment on Dick Morris's Version of Internet Democracy, 34 LOYOLA L.A. LAW REVIEW 1071 (2001)

Testimony, Senate Committee on Commerce, Science and Transportation, Hearing on Internet Privacy, July 11, 2001

Beyond Lessig's CODE *for Internet Privacy: Cyberspace Filters, Privacy-Control, and Fair Information Practices*, 2000 WISCONSIN LAW REVIEW 743

Comment, *Free Speech versus Information Privacy: Eugene Volokh's First Amendment Jurisprudence*, 52 STANFORD LAW REVIEW 1559 (2000)

Internet Privacy and the State, 32 CONNECTICUT LAW REVIEW 815 (2000). Lead article in symposium issue of the CONNECTICUT LAW REVIEW; the issue also contains five responses to my article.

Charting a Privacy Research Agenda: Responses, Agreements, and Reflections, 32 CONNECTICUT LAW REVIEW 929 (2000). Responding to the five scholars who commented on my article, *Internet Privacy and the State*.

Democracy and Privacy in Cyberspace, 52 VANDERBILT LAW REVIEW 1609 (1999)
Privacy and the Economics of Personal Health Care Information, 76 TEXAS LAW REVIEW 1 (1997)

European Data Protection Law and Medical Privacy, in GENETIC SECRETS: PROTECTING PRIVACY AND CONFIDENTIALITY IN THE GENETIC ERA 392 (Mark A. Rothstein, ed., Yale University Press, 1997)

Privacy and Participation: Personal Information and Public Sector Regulation in the United States, 80 IOWA LAW REVIEW 533 (1995)

European Data Protection Law and Restrictions on International Data Flows, 80 IOWA LAW REVIEW 471 (1995)

The Protection of Privacy in Health Care Reform, 48 VANDERBILT LAW REVIEW 295 (1995)

Constitutional Change and Constitutional Legitimation: The Example of German Unification, 31 HOUSTON LAW REVIEW 1027 (1994)

Testimony to Government Information, Justice, Transportation, and Agriculture Subcommittee of House Committee on Government Operations, House of Representatives, 103rd Congress, *reprinted in* FAIR HEALTH INFORMATION PRACTICES ACT OF 1994 (2d Session on H.R. 4077) 358 (1994)

Data Processing and Government Administration: The Failure of the American Legal Response to the Computer, 43 HASTINGS LAW JOURNAL 1321 (1992)

Book Review, *The Oversight of Data Protection*, 39 AMERICAN JOURNAL OF COMPARATIVE LAW 618 (1991)

Review Essay, *Baby M. in West Germany*, 89 COLUMBIA LAW REVIEW

347 (1989)

The Computer in German and American Constitutional Law: Towards an American Right of Informational Self-Determination, 37 AMERICAN JOURNAL OF COMPARATIVE LAW 675 (1989)

Note, *Parental Rights and the Habilitation Decision for Mentally Retarded Children*, 94 YALE LAW JOURNAL 1715 (1985)

COLUMNS, OP-EDS, BLOG POSTINGS:

The Delayed Revolution in Digital Financial Services, TechCrunch.com*:* (April 9, 2016)

Risk and High Risk: Walking the GDPR Tightrope, IAPP Privacy Perspectives (March 29, 2016)

Navigating the cloud: key regulatory issues to know, DAILY JOURNAL, ASIA SUPPLEMENT (Oct. 22, 2014), with Behnam Dayanim

A Checklist of Privacy Considerations for Buyers in M&A, LAW360 (Oct 8, 2014) with Behnam Dayanim & Mary-Elizabeth Hadley

Defining "Personal Data" in the European Union and United States, 13 PVLR 1581 (Sept. 15 2014) with Daniel Solove, reprinted at 14 WORLD DATA PROTECTION REPORT 4 (Sept. 2014)

Differing Privacy Regimes: A Mini-Poll on Mutual EU-U.S. Distrust, IAPP PRIVACY PERSPECTIVES (July 22, 2014)

Privacy and Security Law: What Korean Companies Need to Know, Paul Hastings Client Alert (July 2014)

The Battle for Leadership in Education Privacy Law, SAFEGOV.ORG (Mar. 27, 2014) with Daniel Solove

In Practice: The 'California Effect' on Privacy Law, THE RECORDER, Jan. 2, 2014

Testimony, Balancing Privacy and Opportunity in the Internet Age, California Assembly Informational Hearing, Dec. 12, 2013

Blog, What Is Personally Identifiable Information (PII)? Finding Common Ground in the EU and US, CONCURRING OPINIONS (June 26, 2013) with Daniel Solove

EU Privacy and the Cloud: Consent and Jurisdiction Under the Proposed Regulation, 12 PVLR 718 (Apr. 28, 2013)

Privacy Firsts at Berkeley Law, SAN FRANCISCO CHRONICLE E5 (Feb. 25, 2012)

Blog, *PII 2.0*, TECHNOLOGY | POLICY | ACADEMICS (Jan. 16, 2012) with Daniel Solove

Blog, *Google Ngram and Information Privacy*, GOOGLE POLICY BY THE NUMBERS (Jan. 9, 2012)(Daniel J. Solove, co-author)

Amend telecommunications surveillance laws, SAN FRANCISCO CHRONICLE H6 (March 1, 2009)

Essay, *Bye to chads; hello to what?*, NATIONAL LAW JOURNAL A24 (June 11, 2001)

Book Review, The Lawyer's Bookshelf: You Say You Want a Revolution, By Reed E. Hundt (2000), NEW YORK LAW JOURNAL 2 (July 10, 2000)

Book Review, The Lawyer's Bookshelf: The Code Book, By Simon Singh (1999), NEW YORK LAW JOURNAL 2 (Dec. 21, 1999)

American Data Protection Law Today, RECUEIL DES COMMUNICATIONS/
COLLECTION OF PAPERS, Twelfth Annual Conference of Data Protection Commissioners (France, 1990), *reprinted in* TRANSNATIONAL DATA REPORT 20 (Netherlands 1990); Privacy Laws & Business 11 (October 1990) (England); and XII Conférence Internationale des Commissaires à la Protection des Données (France, 1990) (French translation)

Recent Public Trends in West Germany, PARTISAN REVIEW 235 (1987). Analysis of a debate among German historians about the contemporary

meaning of the Holocaust.

GERMAN LANGUAGE PUBLICATIONS:

Zur Architektonik des Datenschutzes in den U.S.A., in DATENSCHUTZ IM DIGITALEN ZEITALTER – GLOBAL, EUROPÄISCH, NATIONAL (2015) ("The Architecture of Data Protection in the USA," in Data Protection in the Digital Age: Global, European, National)

Referat, in Verhandlung des 69. Deutschen Juristentages: München 2012, Band II/1, O73 (2013) (Presentation, in Proceedings of the 69th German Jurists' Forum)

"Personenbezogene Daten" aus internationaler Perspektive, (An International Perspective on "Personal Data"), ZEITSCHRIFT FÜR DATENSCHUTZ 97 (March 20, 2011)

Kehrtwende beim Datenschutz (Turning Point for Data Protection Law)(translation AlSopot), BERLIN TAGESSPIEGEL, Sept. 5, 2002 (op-ed about privacy developments after 9/11)

Das Übersetzen im Datenschutz: Unterschiede zwischen deutschen und amerikanischen Konzepten der "Privatheit" (Translating the Legal Concept of "Privacy": Differences between American and German Approaches), 8 RECHT DER DATENVERARBEITUNG 8 (1992), *reprinted in* ÜBERSETZEN, VERSTEHEN, BRÜCKEN BAUEN (Erich Schmidt Press, Berlin, 1993)

Die neuesten Entwicklungen im amerikanischen Datenschutzrecht (New Trends in American Data Protection Law), 5 RECHT DER DATENVERARBEITUNG 153 (1989)

EXPERT WITNESS & CONSULTING:

Special Advisor, Privacy & Data Security Group, Paul Hastings LLP (June 2013 – Present)

Expert cases include Gerling Global Reinsurance Corp v. Quackenbush, 2000 WL 777978 (E.D. Cal. 2002), *reversed* American Ins. Ass'n v. Garamendi, 539 U.S. 396 (2003). Worked on this case as part of an international team of lawyers assisting the State of California in defense

of the Holocaust Insurance Relief Act (HIVRA). State statute required insurance companies to disclose to the State of California any involvement with insurance policies of Holocaust victims. Provided affidavits and advice to California regarding German information privacy law and whether it prohibited compliance with HIVRA.

Other reported opinions on cases on which I worked as expert include: In re: Vitamins Antitrust Litigation, 2001 WL 1049433 (D.D.C. 2001); and VW AG v. Monceaux, 909 S.W. 2d 900 (Texas 1995).

Past clients include the Commission of the European Union, the State of California, Volkswagen AG, and other multinational corporations.

GRANTS AND AWARDS:

American Academy in Berlin, Berlin Prize Fellow, Germany, Fall 2002;
German Marshall Fund, Transatlantic Fellow, Transatlantic Center, Brussels, Belgium, Spring 2003:
Funded Research Project*: Post 9-11 Developments in Telecommunications Privacy Law in the U.S., Germany, and the European Union*

Other Grants and Awards: Thyssen Foundation, 2012 (with University of Cologne Law School); German Academic Exchange Award, 1997; Harry Frank Guggenheim Foundation Fellowship, Spring 1995; Fulbright Scholarship, 1991;
Alexander von Humboldt Scholar, 1986-1988.

ADVISORY BOARDS:

Brussels Privacy Hub, Vrije University Brussels, Belgium, Advisory Board Member

INTERNATIONAL JOURNAL OF LAW AND INFORMATION TECHNOLOGY, Oxford University Press, Editorial Board Member

INTERNATIONAL DATA PRIVACY LAW, Oxford University Press, Editorial Board Member

ZEITSCHRIFT FÜR DATENSCHUTZ (Data Protection Journal), Editorial Board Member

Future of Privacy Forum, Washington D.C., Board of Advisors

Trusted Computing Academic Advisory Board, (TCAAB), Microsoft Corporation, Redmond, Washington (Member, 2003-2011). The TWCAAB advises Microsoft on its trusted computing initiative and other policy and computing issues.

PROFESSORSHIPS AND ACADEMIC POSITIONS:

Co-Reporter, Data Privacy Principles Project, American Law Institute, 2013 to present

Jefferson E. Peyser Professor of Law, University of California-Berkeley School of Law, Boalt Hall, 2014 to present

Professor of Law, University of California-Berkeley School of Law, Boalt Hall, 2006-2014

Anita and Stuart Subotnick Professor of Law, Brooklyn Law School, 2004- 2006; Professor of Law, Brooklyn Law School, 1998-2004.

Professor of Law, University of Arkansas School of Law (Fayetteville), Fall 1995- Spring 1998. Associate Professor, 1992-1995, Assistant Professor, 1988- 1992.

Guest Scholar, Institute for Labor, Economic and Civil Law, Goethe University, Frankfurt/Main, Germany, Summer 1998, Summer 1997, Summer 1996, Summer 1995, Summer 1993, Summer 1992, Summer 1991, Summer 1990, Summer 1989.

Guest Professor, University of Nantes, School of Law & Political Science, Nantes, France, Summer 1993, Summer 1992.

MEMBERSHIP, PROFESSIONAL SOCIETIES:

American Law Institute, Elected 2005
New York Bar, Admitted September 2014
Arkansas Bar, Admitted February 1988

German Academic Exchange Alumni Association
Alexander von Humboldt Foundation Alumni Association
Phi Beta Kappa, Brown University, 1981