

Hearings on Competition and Consumer Protection in the 21st Century

An FTC Event | Constitution Center | April 9-10, 2019



SPEAKER BIOS

The FTC's Approach to Consumer Privacy April 9, 2019

Opening Remarks

Joseph J. Simons was sworn in as Chairman of the Federal Trade Commission on May 1, 2018. Before joining the Commission, he was a partner at Paul, Weiss, Rifkind, Wharton & Garrison LLP and Co-Chair of the firm's Antitrust Group. Prior to joining Paul, Weiss, he was the Director of the FTC's Bureau of Competition from 2001 until 2003, and he also served an earlier stint at the Bureau of Competition from 1987 to 1989 as Assistant to the Director, then Assistant Director for Evaluation, and finally Associate Director for Mergers.

Panel 1: Goals of Privacy Protection

Neil Chilson is a Senior Research Fellow for Technology and Innovation at the Charles Koch Institute. He was appointed the FTC's Acting Chief Technologist in July 2017. Prior to his appointment, he was an advisor to then-Acting FTC Chairman Maureen K. Ohlhausen. Before he joined the FTC, he practiced telecommunications law at Wilkinson Barker Knauer, LLP.

James Cooper is the Deputy Director for Economic Analysis in the Bureau of Consumer Protection at the FTC and an Associate Professor of Law (on leave) at George Mason University Antonin Scalia Law School. He has previously served as Deputy and Acting Director of the FTC's Office of Policy Planning and as an Advisor to Federal Trade Commissioner William Kovacic.

Alastair Mactaggart is Chairman of Californians for Consumer Privacy. In 2016-18, he created and led a ballot initiative that resulted in the passage of California AB 375, California's landmark privacy legislation. He is also President of the Emerald Fund, Inc., a real estate development firm in San Francisco.

Paul Ohm is a Professor of Law and the Associate Dean for Academic Affairs at the Georgetown University Law Center. He specializes in information privacy, computer crime law, intellectual property, and criminal procedure. He teaches courses in all of these topics and serves as a faculty director for both the Center on Privacy and Technology and Institute for Technology Law and Policy at Georgetown.

Panel 2: The Data Risk Spectrum: From De-Identified Data to Sensitive Individually Identifiable Data

Cora Han is an attorney in the FTC's Division of Privacy and Identity Protection. At the FTC, she has played a leading role on health privacy matters, including developing business guidance for mobile health app developers. Before joining the FTC, she was an attorney with WilmerHale.

Elisa Jillson is an attorney in the FTC's Division of Privacy and Identity Protection. Previously, she was an attorney in the FTC's Division of Enforcement. Before joining the FTC, she was an associate at Sidley Austin LLP.

Deven McGraw is the Chief Regulatory Officer for Ciitizen, a platform that helps patients collect, organize, and share their medical records digitally. She previously directed U.S. health privacy and security policy through her roles as Deputy Director for Health Information Privacy at the HHS Office for Civil Rights and Chief Privacy Officer (Acting) of the Office of the National Coordinator for Health IT. She also advised PCORNet (the Patient Centered Outcomes Research Network), as well as the federal All of Us Research Initiative, on HIPAA and patient-donated data research initiatives.

Jules Polonetsky serves as CEO of the Future of Privacy Forum, a non-profit organization advancing principled data practices in support of emerging technologies. His previous roles have included serving as Chief Privacy Officer at AOL and DoubleClick, as Consumer Affairs Commissioner for New York City, as an elected New York State Legislator and as a congressional staffer, and as an attorney.

Michelle Richardson is the Director of the Center for Democracy & Technology (CDT)'s Privacy and Data Project, where her team advocates for policies and technical solutions that protect individual privacy, empower users, and advance social justice. She also serves as a Senior Fellow at George Washington University's Center for Cyber and Homeland Security.

Aoife Sexton is Trūata's Chief Privacy Officer. Dublin-based Trūata specializes in anonymization of data, allowing companies to unlock powerful insights from data while maintaining compliance with GDPR and other data protection laws. She was previously Principal at the law firm Tech Law Services, President and General Counsel of an Irish technology company, and General Counsel of the GSM Association. She also co-founded a specialized consultancy firm offering data protection services.

Shane Wiley is the Chief Privacy Officer for Cuebiq, an intelligence and consumer insights company. He was previously the Privacy and Data Governance lead at Yahoo! and Vice President of Privacy at Oath. He was a key player in developing the AdChoices program with the Network Advertising Initiative and the Interactive Advertising Bureau Europe, which set standards for industry participants to display the AdChoices icon billions of times a day in a consistent manner.

Remarks

Noah Joshua Phillips is a Commissioner on the Federal Trade Commission. He previously served as Chief Counsel for U.S. Senator John Cornyn on the Senate Judiciary Committee. From 2011-2018, he advised Senator Cornyn on legal and policy matters in antitrust, constitutional law, consumer privacy, fraud, and intellectual property. Phillips worked as a civil litigator in private practice prior to his role on the Hill.

Panel 3: Consumer Demand and Expectations for Privacy

Lorrie Faith Cranor is a Professor of Computer Science and of Engineering and Public Policy, Director of the CyLab Privacy and Security Institute, and Co-director of the MSIT-Privacy Engineering masters program at Carnegie Mellon University. She previously served as the FTC's Chief Technologist. The author of more than 150 papers on online privacy and usable security, she also co-founded Wombat Security Technologies, an information security awareness training company.

Daniel Gilman is an Attorney Advisor in the FTC's Office of Policy Planning, where he works on competition issues in health care and technology, and on the impact of regulation. He has received the FTC's Paul Rand Dixon Award and its Janet D. Steiger award. He visited Harvard Law School as the Victor H. Kramer Foundation Fellow in antitrust in 2014-15. Previously, he taught at the University of Maryland School of Law, Penn State University, and Washington University in St. Louis, and worked in private practice in Washington.

Avi Goldfarb is the Rotman Chair in Artificial Intelligence and Healthcare, and Professor of Marketing at the University of Toronto's Rotman School of Management. He is also Chief Data Scientist at the Creative Destruction Lab, Senior Editor at Marketing Science, and a Research Associate at the National Bureau of Economic Research. His research on the economics of technology has been widely discussed by policymakers and the popular press. He is the co-author of the bestselling book *Prediction Machines: The Simple Economics of Artificial Intelligence*. He would like to acknowledge the Social Sciences and Humanities Research Council of Canada for the support of his privacy research. During his career, he has also received support from WPP, Google, Bell Canada, and a variety of government and non-profit funding agencies for research unrelated to privacy. He has also received compensation from corporations, including some technology companies, for speeches unrelated to privacy.

Ariel Fox Johnson is Senior Counsel for Policy and Privacy at Common Sense, where she advocates for practices, policies, and rules to help kids thrive in today's wired world. Her work focuses on child, teen, and student privacy, closing the digital divide, and families' experiences with media and emerging technology. She frequently advises policymakers, industry, and tech experts, and has helped develop laws on student privacy, consumer privacy, and the Internet of Things. Prior to joining Common Sense, she worked on privacy, media, intellectual property, and technology matters at corporate law firms. She would like to acknowledge the support of Common Sense's surveys and research by SurveyMonkey, Jennifer Caldwell and John H.N. Fisher, Eva and Bill Price, Carnegie Corporation of New York, Craig Newmark Philanthropies, The Morgan Family Foundation, Peter and Helen Bing, The Grable Foundation, The David and Lucile Packard Foundation, and Benenson Strategy Group.

Jason Kint is CEO of Digital Content Next, the only trade association to exclusively serve digital content companies, ranging from established brands, such as The New York Times, NBC, Conde Nast, and ESPN, to digital natives, such as Vox, Slate, and Business Insider. He previously served as Senior Vice President and General Manager of CBS Interactive's Sports Division, where he led CBS Sports' evolution into a multi-platform brand, and in other executive roles over 25 years in digital media.

Laura Pirri is Senior Legal Director and Data Protection Officer at Fitbit. Her previous positions include Director and Associate General Counsel and Head of Global Privacy and Data Protection at Twitter.

Laura Riposo VanDruff is an Assistant Director of the FTC's Division of Privacy and Identity Protection. In that role, she supervises investigations and litigation and manages privacy and security initiatives such as the Commission's Start with Security series. She previously was a litigation associate at Arnold & Porter LLP and served on the staff of the New York State Legislature.

Heather West is a Senior Policy Manager at Mozilla. She works with government policymakers and technology stakeholders to further Mozilla's work on privacy, security, and accessibility issues. Before joining Mozilla, she founded and led CloudFlare's public policy team and worked on policy issues at Google and the Center for Democracy and Technology.

Panel 4: Current Approaches to Privacy, Part I

Fred Cate is the Vice President for Research, a Distinguished Professor, and the C. Ben Dutton Professor of Law at Indiana University (IU). He served as the founding director of IU's Center for Applied Cybersecurity Research, from 2003 to 2014, and is now a senior fellow at the Center. He also served as founding director of IU's Center for Law, Ethics, and Applied Research in Health Information from 2010 to 2015, and is a senior policy advisor at the Centre for Information Policy Leadership.

Markus Heyder is the Vice President and Senior Policy Counselor of Hunton Andrews Kurth LLP's Centre for Information Policy Leadership. Prior to joining the firm, he served for over 10 years as Counsel for International Consumer Protection in the FTC's Office of International Affairs and nearly two years in the FTC's Division of Marketing Practices.

Jared Ho is an attorney in the FTC's Division of Privacy and Identity Protection. He has also served as a Senior Policy Advisor in the Enforcement Bureau of the Federal Communications Commission and as a Deputy Attorney General for the State of New Jersey.

Margot Kaminski is an Associate Professor at the University of Colorado Law School and the Director of the Privacy Initiative at Silicon Flatirons. She specializes in the law of new technologies, focusing on information governance, privacy, and freedom of expression. Recently, her work has examined autonomous systems, including AI, robots, and drones (UAS).

David LeDuc is the Vice President, Public Policy for the Network Advertising Initiative (NAI). He previously was the Senior Director, Public Policy for the Software Information Industry Association (SIIA).

Laura Moy is the Executive Director of Georgetown Law’s Center on Privacy & Technology. Before joining the Center, she was Acting Director of the Communications & Technology Clinic at Georgetown Law’s Institute for Public Representation. Prior to that, she was senior policy counsel at New America’s Open Technology Institute.

Laura Riposo VanDruff is an Assistant Director of the FTC’s Division of Privacy and Identity Protection. In that role, she supervises investigations and litigation and manages privacy and security initiatives such as the Commission’s Start with Security series. She previously was a litigation associate at Arnold & Porter LLP and served on the staff of the New York State Legislature.

Shaundra Watson serves as Senior Director, Policy at BSA | The Software Alliance, where she provides counsel and develops global policy on issues related to privacy, data security, and artificial intelligence. Prior to joining BSA, she held several positions at the FTC, including serving as an Attorney Advisor to former Chairwoman Edith Ramirez and former Commissioner Julie Brill, and as a Counsel in the Office of International Affairs.

Panel 4: Current Approaches to Privacy, Part 2

Andrea Arias is an attorney in the FTC’s Division of Privacy and Identity Protection. At the FTC, she has led a variety of policy initiatives and investigations. She was a principal author of the FTC’s January 2016 Big Data and May 2014 Data Broker reports. She previously was an attorney at the U.S. Department of Justice’s Antitrust Division and a law clerk for Judge Allyson Duncan and Judge Cecilia Altonaga.

Lothar Determann is a partner with Baker McKenzie, where he counsels companies on taking their products, data, intellectual property, and contracts global. He has taught Data Privacy Law, Computer Law, and Internet Law at UC Berkeley School of Law, UC Hastings College of the Law, Stanford Law School, University of San Francisco School of Law, and Freie Universität Berlin. He has published more than 120 articles and 5 books, including *Determann’s Field Guide to Data Privacy Law* (3d Ed. 2017 in English, German, Chinese, Japanese and Russian) and *California Privacy Law* (3d Ed. 2018).

Jay Edelson is the Founder and CEO of Edelson PC, a plaintiffs’ firm representing consumers in class action lawsuits and state and local governments in regulatory actions. In total, he has recovered over \$1 billion for consumers, over \$300 million of which comes from privacy cases. He is also an adjunct professor at UC Berkeley School of Law, where he recently taught a class in Privacy Litigation.

Rebecca S. Engrav is a Partner at Perkins Coie, where she litigates disputes for technology companies regarding privacy and data security, user-generated content, online advertising, and intellectual property. She represents companies in investigations or lawsuits brought by federal and state government agencies and regulators, as well as in private-party litigation.

Elisa Jillson is an attorney in the FTC’s Division of Privacy and Identity Protection. Previously, she was an attorney in the FTC’s Division of Enforcement. Before joining the FTC, she was an associate at Sidley Austin LLP.

Alan Raul is the founder and leader of Sidley Austin LLP’s Privacy and Cybersecurity practice, where he represents companies on federal, state, and international litigation, compliance, and advocacy matters. He previously served as Vice Chairman of the White House Privacy and Civil Liberties Oversight Board, General Counsel of the Office of Management and Budget, General Counsel of the U.S. Department of Agriculture, and Associate Counsel to the President. He has represented the U.S. Chamber Institute for Legal Reform in submitting a public comment to the FTC, *“Considerations for Framing, Assessing, and Balancing Actionable Injury and Intangible Harm Relating to Privacy and Data Protection.”*

Tracy Shapiro is a Partner at DLA Piper, where she advises clients on privacy, data security, and advertising issues, and defends clients in investigations and enforcement actions brought by the FTC, state attorneys general, and self-regulatory bodies. She previously spent six years as an attorney in the FTC’s Division of Privacy and Identity Protection and Division of Advertising Practices.