

Data Breach Investigations as Valuable Tools for Businesses That Have Experienced a Data Breach

Articles

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Daniel J. DeFiglio, a partner in the firm’s Data Privacy and Cybersecurity, Business Litigation, and Trade Secret Protection and Non-Compete Groups discusses the importance for businesses to be mindful of how data breach investigation reports are created and shared so that they can obtain the full panoply of their benefits. In this New Jersey Lawyer article, **“Treat Your Data Breach Investigation Like Your Toothbrush—Don’t Share It with Anyone,”** published August 2022, Daniel writes that data breach investigations are valuable tools for businesses that have experienced a data breach. They can provide valuable insights to help better protect customer privacy, and can assist in responding to governmental authorities and private litigants. Yet the cases discussed here highlight that these same advantages may also be a reason why well-intentioned reports may later become “Exhibit-1” at trial; namely, that the report was made to serve business purposes, not as a defense to litigation.

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