

# 5 Cybersecurity And Privacy Cases To Watch

June 03, 2017

Carlton Fields Shareholder Kristin Shepard was quoted in the *Law360* article, “5 Cybersecurity And Privacy Cases To Watch.” The article discusses the top five cases to keep tabs on according to privacy and cybersecurity attorneys. One case highlighted, *Spokeo v. Robins* (decided in May 2016 by the U.S. Supreme Court), which held that plaintiffs must allege concrete harm and cannot rely on statutory violations to establish Article III standing, has been dividing courts across the nations, according to the article. In the last year since this significant privacy decision, lower courts have issued conflicting decisions in cases dealing with the Accurate Credit Transactions Act, Fair Credit Reporting Act, and the Telephone Consumer Protection Act. Now these cases are headed to appellate courts and attorneys, according to *Law360*, “are keeping careful watch on whether a circuit split emerges on the issue of whether a statutory harm is enough to allow plaintiffs to forge ahead with their claims.” Specifically, Shepard cited the case *Reilly v. Ceridian Corp.*

*In 2012, the Supreme Court denied a petition for writ of certiorari to address the question of standing in data breach cases in Reilly v. Ceridian Corp., but I expect the issue to be before the Supreme Court again soon. A favorable ruling for businesses on the standing issue would greatly reduce their litigation exposure in the event of a large-scale breach, as only a minority of those whose information is compromised will ultimately experience identity theft or unreimbursed fraudulent charges.*

[READ the article.](#) (Subscription required for full access).

## Related Practices

[Cybersecurity and Privacy  
Litigation and Trials](#)

