

Privacy & Cybersecurity Newsletter

Locke Lord's Privacy & Cybersecurity Newsletter provides topical snapshots of recent developments in the fast-changing world of privacy, data protection, and cyber risk management. For further information on any of the subjects covered in the newsletter, please contact one of the members of our privacy and cybersecurity team.

In This Issue

CRPA/CCPA

California Privacy Developments: The CRPA

Having set a new standard for privacy in the United States with the California Consumer Privacy Act of 2018 (the "CCPA"), California has again raised the bar for consumer privacy with the California Privacy Rights Act (the "CPRA"), which was passed by referendum on November 3, 2020. [read more](#)

The Murky Waters of the CCPA's Private Right of Action: Real and Perceived Ambiguities Complicating Litigation

The California Consumer Privacy Act ("CCPA") gives individuals the right to seek statutory damages against a business in limited circumstances involving the CCPA's reasonable security obligation. [read more](#)

Litigation

When Half a Billion Dollars is Not Enough: What the Facebook Settlement Can Teach Us

On July 23, 2020, the U.S. District Court for the Northern District of California signaled that a \$650 million settlement of claims against Facebook, Inc. for alleged violations of the Illinois Biometric Information Privacy Act ("BIPA") would likely be approved. [read more](#)

WTF?! – Wire Transfer Fraud Litigation

Threat actors have recently and significantly increased efforts to defraud organizations and individuals through business email compromise (BEC). [read more](#)

Eleventh Circuit Reaches Back 135 Years to Reject Incentive Awards for Lead Plaintiffs in Class Actions

In *Johnson v. NPAS Solutions, LLC*, No. 18-12344, 2020 WL 5553312 (11th Cir. Sept. 17, 2020), the Eleventh Circuit Court of Appeals upended what has become common practice in class action settlement by ruling that "incentive" awards to named plaintiffs are unlawful under two Supreme Court cases from the 1880s. [read more](#)

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