

Rising Star: King & Spalding's Elizabeth Adler

By Ben Kochman

Law360 (October 1, 2019, 3:32 PM EDT) -- King & Spalding LLP's Elizabeth Adler is one of the youngest members of the core legal team that credit reporting giant Equifax Inc. has turned to as it handles multidistrict litigation and government probes stemming from its historic data breach, making her one of five cybersecurity and privacy attorneys honored by Law360 as Rising Stars.

THE BIGGEST CASE OF HER CAREER:

Adler was among the first attorneys called in to manage Equifax's response to consumers and regulators after the company announced in September 2017 that it had been hit by hackers who made off with the Social Security numbers and other personal information of more than 145 million Americans.

The episode prompted immediate outcry, calls for congressional hearings, and a slew of class action lawsuits that were eventually consolidated as multidistrict litigation in Georgia.

Adler's role involved managing the embattled reporting giant's public relations efforts, working with the King & Spalding team representing Equifax to notify state and federal regulators in the wake of the breach. She has also worked to prepare company executives for speaking about the episode in public, including in front of Congress and in media interviews.

Earlier this summer, Equifax reached a deal — still awaiting approval in Georgia federal court — that would resolve federal, state and consumer claims stemming from the incident.

"It's been challenging, and ultimately very rewarding," Adler said of the case. "You really have to draw on your resources, both external and internal, to make sure that you understand your story and that you can present the best and most consistent story from day one."

RISING ★ ★ ★ ★ ★ STAR



Elizabeth Adler
King & Spalding

Age: 37
Home base: Atlanta
Position: Partner
Law school: Mercer University
School of Law
First job after law school: Clerk for
Judge Kristi Dubose in the U.S.
District Court for the Southern
District of Alabama

WHY SHE'S A DATA PRIVACY AND SECURITY ATTORNEY:

Adler said she enjoys dealing with a crisis, making her well-suited for responding to data breaches and other fast-moving security incidents that come up in her practice.

Having spent three years working on more general consumer class action cases, Adler said she was particularly drawn to data breach cases because of the pressure-cooker environment of being forced to quickly determine how a company should communicate with regulators and to the public.

"When things are moving quickly, deciding what you can say and what you can do, that crisis management aspect is what immediately drew me to the field," Adler said. "To me, that's the most difficult part of incident response, but it's really something that I enjoy."

WHAT MOTIVATES HER:

Data privacy and security laws are constantly evolving, and keeping clients up to date with all of them is a constantly challenging task, Adler said.

Each of the 50 U.S. states now has a different law requiring companies to notify consumers or authorities of data breaches, for example. The European Union's sweeping data protection regime, the General Data Protection Regulation, meanwhile went into effect in March 2018 and has spawned imitators across the globe.

"Being on the forefront of a new area of law is exciting," Adler said. "I enjoy helping clients navigate the patchwork of laws in this field and come up with a business-minded way to comply with them."

Adler said she also appreciates the personal relationships she's formed with colleagues and clients during her crisis management moments, which she can better reflect on after the crises have passed.

"A lot of times you can't say this in the middle of the crisis, but I really enjoy being able to stay calm and organized, and working through it in a very collegial manner," she said.

HOW THE DATA PRIVACY LEGAL LANDSCAPE WILL CHANGE IN THE NEXT 10 YEARS:

As data breaches become more common and the law more evolved, regulatory inquiries in the area will continue to increase, Adler said.

Litigation will likely increase as well — with a particular focus on companies potentially suing third-party vendors if the vendor suffers a data breach. Such cases are already drawing attention to how contracts struck with third-party vendors address liability, while Oregon's state government amended its data breach notification law in June to expand vendors' notification obligations.

"States are starting to recognize that if that vendor suffers the incident, it should carry more of a legal burden," Adler said.

— *As told to Ben Kochman*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2019 Rising Stars winners after reviewing more than 1,300 submissions. Attorneys had to be under 40 years old as of April 30, 2019, in order to be considered for this year's award. This interview has been edited and condensed.