

Phyllis B. Sumner

Partner

Data, Privacy and Security



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Phyllis Sumner is a Partner and the firm's Chief Privacy Officer. She leads our Data, Privacy and Security practice. Phyllis regularly counsels corporate boards, senior executives and other clients regarding data breach prevention, emergency response, remediation, compliance, regulatory enforcement, internal corporate investigations and other critical privacy and data security concerns.

As a crisis manager, Phyllis works closely with clients' legal, compliance and business teams to strategize, manage and defend when significant privacy and data security issues arise. She assists her clients with developing mature incident response plans and leads them through security incidents, including investigations, containment, remediation, communications, and contractual and legal obligations. She represents clients defending against class actions resulting from alleged consumer protection and privacy violations, and data security incidents. In 2019, 2018 and 2016, *Cybersecurity Docket* named Phyllis to its Incident Response 30, which lists "the 30 best and brightest Incident Response attorneys" in the U.S. and *Law360* named her Cybersecurity MVP in 2017 and Privacy MVP in 2016.

Phyllis also represents clients in complex litigation involving the False Claims Act, RICO, the Fair Credit Reporting Act and fraud. She is known for her negotiation and advocacy skills in and out of the courtroom. *Law360* named her "Healthcare MVP" in 2014 and she has been a Georgia "Super Lawyer" since 2013. *Atlanta Magazine* named her as a "Woman Making a Mark" in 2016 and the *Daily Report* named her a "Distinguished Leader" in 2017.

Previously, Phyllis served as an Assistant U.S. Attorney in the Northern District of Illinois and the Northern District of Georgia. She successfully prosecuted high profile cases such as Eric Rudolph, the Centennial Olympic Park bomber, as well as cases involving public corruption, domestic terrorism, credit card fraud, money laundering, healthcare fraud and other complex criminal matters.

Matters

Defending **Capital One** in 2019 data breach.

Led defense of **Equifax Inc.** in 2017 data breach.

Led defense of **The Home Depot** in 2014 data breach consumer class action MDL.

Led defense of **Sears/Kmart** in the 2014 data breach financial institution consolidated class actions.

Credentials

EDUCATION

J.D., Vanderbilt University
B.B.A., University of Georgia

ADMISSIONS

U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Middle District of Georgia
U.S. District Court for the Northern District of Georgia
Georgia
Illinois
Supreme Court of Georgia

Recognition

Recommended in Legal 500 US 2020 for Cyber Law
LEGAL 500, 2020

Recommended in Legal 500 US 2020 for General Commercial Disputes
LEGAL 500, 2020

Women in Data
GLOBAL DATA REVIEW, 2019

Incident Response Top 30 Award
CYBERSECURITY DOCKET, 2019

Incident Response Top 30 Award
CYBERSECURITY DOCKET, 2018

Cybersecurity and Privacy MVP
LAW360, 2017

Distinguished Leader Award
DAILY REPORT 2017

Privacy MVP Award
LAW360, 2016

Women Making a Mark Award
ATLANTA MAGAZINE, 2016

Incident Response Top 30 Award
CYBERSECURITY DOCKET, 2016

Healthcare MVP Award
LAW360, 2014

Georgia Super Lawyer, 2013–2016

Director's Award, for superior performance in the trial of former Atlanta Mayor Bill Campbell
EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS, 2008

John Marshall Award, for the prosecution of Olympic Park bomber Eric Rudolph
ATTORNEY GENERAL, 2006

Director's Award, for the prosecution of Olympic Park bomber Eric Rudolph
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, 2006

Award, for the prosecution of Olympic Park bomber Eric Rudolph
FEDERAL BUREAU OF INVESTIGATION, 2006

Honorary Special Agent Award, for the trial and conviction of former Atlanta Mayor Bill Campbell
INTERNAL REVENUE SERVICE, 2006

Director's Award of Recognition, for the trial and conviction of a former Atlanta City Commissioner
FEDERAL BUREAU OF INVESTIGATION, 2003

Honorary Special Agent Award, for the trial and convictions in a multimillion dollar timber fraud
case
INTERNAL REVENUE SERVICE, 2003

Insights

ARTICLE

September 7, 2020 • Source: Harvard Law School Forum on Corporate Governance
Cyber Risk and the Corporate Response to COVID-19

CLIENT ALERT

October 12, 2020
Ransomware: To Pay or Not to Pay?

NEWSLETTER

November 2, 2020
Health Headlines – November 2, 2020

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Events

WEBINAR

May 27, 2020

Cybersecurity and Privacy Webinar Mini-Series Part 3: Data Privacy and Security Risk Management: Securing the Enterprise and Beyond

April 29, 2020

Cybersecurity and Privacy Webinar Mini-Series: Data Privacy and Security Risk Management: Securing the Enterprise and Beyond

April 8, 2020

Be Prepared: COVID-19 Security Incidents are Coming

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News

IN THE NEWS

March 11, 2021 • Source: Law360

Phyllis Sumner explains how the COVID-19 pandemic has impacted data breach incidents

October 7, 2020 • Source: Cybersecurity Law Report

Phyllis Sumner discusses effective tabletop exercises that are being used to address cyber threats

RECOGNITION

April 9, 2021

Cybersecurity Docket Names Robert Hudock and Phyllis Sumner to its Incident Response 30 List

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