



Amanda Harvey

Partner

1452 Hughes Road
Suite 200
Grapevine, TX 76051

267-930-1697

aharvey@mullen.law



Overview

Amanda Harvey is a Partner at Mullen Coughlin and focuses her practice on providing organizations of all sizes and from every industry sector in first-party incident response and third-party privacy defense legal services. Amanda guides organizations through all stages of responding to, or preparing for, a data privacy and security incident, ranging from the initial discovery and containment of the incident, to counseling the organization on its legal obligations and, finally, with responding to inquiries from regulators, law enforcement and the media. Amanda has counseled hundreds of organizations in investigating and responding to an incident compromising information and network security, working closely with the various stakeholders in the incident response process such as the organization itself, third-party forensic investigators and law enforcement. She advises victim organizations on their legal notice and compliance responsibilities required by state, federal and international law, as well as those stemming from industry-specific standards, ethical obligations and contract.

Amanda has experience with organizations in the healthcare and life sciences industry, such as hospital and healthcare systems and providers, as well as organizations from other industries including financial services; retail/e-commerce; hospitality and entertainment; and professional services. She's represented these types of organizations in responding to formal follow-up inquiries by regulators, including state Attorneys Generals; state insurance and health departments; and the U.S. Department of Health and Human Services' Office for Civil Rights (HHS-OCR).

Education

- Southern Methodist University Dedman School of Law
 - Juris Doctor, *cum laude*
- Southern Methodist University
 - Bachelor of Arts, *cum laude*
- Georgetown University
 - Engalitcheff Institute for Comparative Political and Economic Systems

Admission

- Texas
 - U.S. District Court for the Eastern District of Texas
 - U.S. District Court for the Northern District of Texas
 - U.S. District Court for the Southern District of Texas
 - U.S. District Court for the Western District of Texas
- California
 - U.S. District Court for the Central District of California
 - U.S. District Court for the Eastern District of California
 - U.S. District Court for the Northern District of California
 - U.S. District Court for the Southern District of California
- U.S. Court of Appeals for the Fifth Circuit



Amanda also has two decades of experience handling complex and diverse litigation, defending organizations at all levels in both federal and state courts. She is licensed to practice in Texas and California and has practiced *pro hac vice* in numerous jurisdictions where Firm clients seek trial preparation. Her experience of handling complex litigation, including single-plaintiff and class action litigation stemming from data privacy and security incidents, has prepared her to successfully litigate matters within the designated timeframe and budget, oftentimes providing innovative legal strategies to negotiate disputes with minimal disruption to the organization's business and reputation.

Representative Matters

- Co-lead counsel in a data breach class action in state court involving millions of putative class members resulting in successful motion to dismiss
- Co-lead counsel in a data breach class action in federal court resulting in a successful motion to dismiss for a majority of the named plaintiffs
- Lead counsel in a data breach class action in federal court resulting in a successful motion to dismiss
- Obtained summary judgment on behalf of a CPA firm in privacy litigation
- Successfully appealed a special appearance ruling
- Obtained summary judgment for a national restaurant chain in a commercial litigation dispute
- Obtained favorable verdict for asbestos defendant in living cancer trial in Oakland, CA
- Prepared and filed an *amicus brief* on behalf of *Fortune* 500 company regarding the intentional injury exception to the exclusive-remedy provision of the Texas Workers' Compensation Act

Speaking Engagements & Presentations

- "Cyber and Information Privacy Regulation," CLM Claims College, Austin, TX, September 6, 2024
- "Cyber Third-Party Litigation," CLM Claims College, Austin, TX, September 6, 2024
- "Cybersecurity: The Growing Partnership Between HR and Risk Management," NFP Elevate Conference, Oklahoma City, OK, August 22, 2024
- "Data Privacy Update and Enforcement Trends," Dallas Bar Association, Virtual, January 22, 2024
- "Beyond Hammer and Nails: Cyber Risk in Construction," 2023 CLM Construction Conference, Austin, TX, September 29, 2023
- "Responding to a Cyber Incident," Dallas Bar Association, Dallas, TX, April 24, 2023
- "Managing a Cyber Incident," Dallas Bar Association, Dallas, TX, June 27, 2022
- "Cyber Attacks: How They Occur, How to Protect Yourself and What to Do If Attacked," The Aesthetic Meeting 2022, San Diego, CA, April 24, 2022
- "Cyber 101," Explore Healthcare Summit 2021, Norman, OK, August 27, 2021
- "Department of Insurance Data Breach Notification Requirements," Continuing Legal Education, Dallas, TX, July 2021
- "What Is A Cybersecurity Legal Practice," Women in Cyber Security (WiCyS) – Phoenix, Virtual, June 15, 2021
- "Women in Leadership Spotlight," Dallas, TX, September 2020
- "Coronavirus, COVID-19 Cyber Risks and Insurance," CRC Group, Podcast, April 2020
- "Cybersecurity: Update," Texas Association of Defense Counsel Winter Seminar, February 2020

Professional Memberships

- Dallas Association of Young Lawyers Foundation
 - *Fellow*
- Dallas Bar Association
 - *Vice-Chair*, Science and Technology Section
- International Association of Privacy Professionals
- Texas Bar Foundation
 - *Fellow*

Certifications/Licenses

- U.S. Certified Information Privacy Professional (CIPP/US)

Practice Areas

- Privacy Litigation
- Incident Response
- Regulatory Investigation



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- “Texas Updates Breach Notification Requirements,” November 2019
- “To Improve Data Breach Response, Follow These Steps,” CRC Group, November 2019
- “Best Practice: Breach Response and Regulatory Compliance,” Insurance Business America, Podcast, Fall 2019

Awards & Honors

- Dallas Association of Young Lawyers *Fellow* (2022)
- *D Magazine* “Best Lawyer” (2021)
- Texas Bar Foundation *Fellow* (2022)
- Texas *Super Lawyers* – Class Action & Mass Torts; Technology Transactions (2021-2024)
- William “Mac” Taylor American Inn of Court