

Michelle A. Kisloff

Partner

Washington, D.C.

Biography

Backed by more than 20 years of experience, Michelle Kisloff is a proven litigator and advocate. Michelle helps her clients succeed when complex matters of data privacy and protection result in class action litigation and regulatory enforcement. She also has deep experience litigating a broad range of commercial disputes, including complicated contracts and insurance coverage issues, the enforcement of arbitration agreements, and post-merger fraud and indemnification claims. Michelle has been recognized by *Law360* as a MVP in Privacy and Cybersecurity and leads our privacy litigation team.

Michelle defends and advises organizations accused of violating consumer privacy or misusing consumer data. She has successfully resolved investigations by the Federal Trade Commission and various state attorneys general (most often with non-public closures) and won early dismissals of proposed class actions related to data collection and alleged consumer tracking.

She also assists organizations in responding to some of the largest data breaches and state-sponsored cyberattacks on record – and in defending against the internal investigations, class action litigation, Congressional inquiries, and regulatory enforcement actions that follow these events.



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Practices

Litigation Services

Privacy and Cybersecurity

Cyber Risk Services

Investigations, White Collar, and Fraud

Insurance

Commercial Litigation

Technology Litigation

Industries

Consumer

Financial Institutions

Insurance

Before joining Hogan Lovells, Michelle clerked for a federal district court judge in Pennsylvania and also worked for another law firm in New York City. Michelle volunteers as a member of the board of directors of My Sister's Place, which provides housing and support to women and children fleeing domestic violence in Washington, D.C.

Representative experience

Defended leading technology/app company in class actions arising from a cyberattack, resulting in wins enforcing arbitration agreements and early motions to dismiss.

Obtained early dismissal on the pleadings of proposed class action against major technology company alleging violations of the Children's Online Privacy Protection Act.

Successfully defended health insurance company through arbitration hearing based on alleged breach of provider agreements.

Won early dismissal for internet advertising company accused of violating consumer privacy under common law and state statutes and successfully defended that dismissal on appeal.

Defended health insurance company in multidistrict class-action litigation and regulatory investigations arising from cyber attack, including depositions of expert witnesses.

Obtained dismissals, without any complaint or public action, for retailers, online software providers, and others in privacy investigations by the FTC.

Retained by board of directors demand review committee to investigate shareholder claims following data security incident.

Conducted a review of the client data privacy and security practices of Bloomberg LP and assisted in

Life Sciences and Health Care

TMT

Areas of focus

Class Actions and Group Litigation

Consumer Protection and Privacy

Health Privacy and Cybersecurity

Breach Preparedness, Response, Investigation, and Communication

Insurance Litigation

Education and admissions

Education

J.D., Harvard Law School, magna cum laude, 1996

A.B., Duke University, magna cum laude, 1993

Memberships

Member, District of Columbia Bar Association

Bar admissions and qualifications

District of Columbia

New York

Court admissions

responses to inquiries worldwide.

Leading fact investigations and defense to regulatory investigations for retailers and university hospitals that have announced cyber attacks.

Defended insurance company from bid-rigging allegations in antitrust litigation by state attorney general and class action plaintiffs.

Defended retailers, online software providers, and others in investigations by the FTC that were resolved without any complaint or public action.

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, Second Circuit

U.S. Supreme Court

U.S. Bankruptcy Court, District of Columbia

U.S. District Court, District of Columbia

U.S. District Court, Southern District of New York

Latest thinking and events

■ Media Mention

- Cybersecurity & Privacy Group of the Year: Hogan Lovells *Law360*

■ Awards and Rankings

- Law360 Names Four Hogan Lovells Practices among its Practice Groups of the Year

■ Webinar

- From regulation to litigation – CCPA litigation defense webinar

■ Hogan Lovells Publications

- Data class actions guide

■ Published Works

- Lessons for In-House Counsel from Cybersecurity's Front Lines

■ Published Works

- 3 Ways to Manage the Cyber Risk Posed by Connected Medical Devices *HealthTech Magazine*