



Kenneth N. Rashbaum

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Kenneth N. Rashbaum advises multinational corporations, financial services organizations and life sciences organizations in the areas of privacy, cybersecurity, e-discovery for litigation and regulatory proceedings and information management. He counsels these entities on information governance and its compliance with federal, state, and non-U.S. laws and the interface of e-commerce and legal and regulatory liabilities in areas such as cybersecurity and breach response. Ken has vast experience in preparation and negotiation of technology contracts, including service level agreements and license agreements relating to compliance with data protection and privacy laws in the U.S. and other countries. He also leads information security and data breach response assessments, investigations and remediation initiatives; prepares policies for social media legal and regulatory compliance; and represents technology and life sciences organizations in federal and state investigations and audits, and in litigation.

Ken also serves as special e-discovery counsel for complex litigation and in matters in which electronic evidence from beyond the U.S. is required. He has been recognized internationally as a thought leader in electronic discovery and disclosure, and has served as national e-discovery counsel for multinational pharmaceutical corporations and global e-discovery counsel in products liability and IP litigation. Ken was appointed to the faculty of the Federal Judicial Center for its September 2010 session and the Georgetown Advanced E-Discovery Institute (November 2009 and December 2012 sessions) to lead sessions on international e-discovery issues and challenges. In 2019, he served as a special consultant to the New Jersey Assembly assisting in the preparation of a bill that, if passed, would become New Jersey's first comprehensive privacy and cybersecurity law. Ken has also testified as a cybersecurity and privacy expert before the New Jersey Homeland Security and State Preparedness Committee.

In his capacity as a nationally known expert on data privacy, Ken counsels healthcare organizations on compliance with federal, state and judicial standards governing protected health information. He has served as HIPAA and privacy counsel to major hospital systems, health plans, physicians' groups, cloud computing providers and health information application developers; advised academic hospital systems on protocols for implementation of electronic health records; and provided counsel on risk management issues in access, uses and disclosures of electronic patient information.

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Ken is an Adjunct Professor of Law at Fordham University School of Law and had been a member of the Adjunct Faculty at the Maurice A. Deane School of Law at Hofstra University from 2013 – 2015.

Prior to joining Barton, Ken was a senior litigation partner in the New York office of Sedgwick LLP (formerly Sedgwick, Detert, Moran & Arnold) where he was the Founding Co-Chair of the E-Discovery, Compliance and Data Management and HIPAA Practice Groups.