

## Rising Star: BakerHostetler's Craig Hoffman

By Joe Van Acker

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A leading member of BakerHostetler's privacy and data protection team, Craig A. Hoffman has established himself as an expert on not only resolving security disputes but also helping clients avoid them in the first place, ranking him among Law360's top privacy attorneys under 40.

One of three privacy pros on Law360's Rising Stars list, Hoffman has guided clients from a range of industries through security incidents, including point-of-sale operators like Signature Systems Inc. and Charge Anywhere LLC, as well as Eisenhower Medical Center and Schnuck Markets Inc., which faced a variety of claims following exposure of millions of customers' data due to malware.

Earlier this year, Hoffman and Schnuck won a federal judge's declaration limiting the company's liability to just \$500,000 for a breach that compromised 2.4 million credit and debit card numbers from 79 stores in the Midwest.

"Craig is one of the most legally and technically knowledgeable attorneys in this area and is a strategic and crisis management genius," Brian N. Brink, Schnuck's senior counsel told Law360.

Hoffman has also advised on Health Insurance Portability and Accountability Act privacy provisions, compliance with pending legislation and social media best practices.

His work has focused on privacy for the better part of a decade, which allowed him to become so familiar with the technology and procedures companies can use to avoid being victims of data breaches.

During the dozens of training sessions he conducts each year, Hoffman instructs clients, particularly those involved in retail, on ways to insulate themselves from liability by tailoring vendor contracts and incorporating systems that reduce security obligations by quickly removing credit card data, among other techniques.



Craig A. Hoffman

“Retailers will tell you they don’t want to be in the security business,” Hoffman said. “They really only want the data they get so that they can get paid.”

However, in the event of a security incident, clients can rely on Hoffman’s years of experience to guide them through the process of notifying customers and cooperating with federal investigators.

Hoffman said that BakerHostetler understands the types of information sought by the FBI, Secret Service and others who investigate data breaches and that his past cooperation in these investigations has taught him about patterns that hackers follow, providing him with another means of proactively assisting his clients.

He credited the firm’s hands-on approach with fostering the trust needed to effectively resolve thefts or attacks that release the personal information of customers or workers.

“We go on-site with a client day one, and we stay there and work with them to make sure they get the support, and we act as the quarterback for the incident response,” Hoffman said.

Despite not having a technical background or experience with forensics, Hoffman developed the knowledge and skills needed to safeguard data and defend clients against the types of claims that follow security incidents.

He advised young lawyers to follow suit by finding a way to develop expertise that makes them irreplaceable.

“One way I did that was to be the person who knows the most about all the details of a case,” Hoffman said. “When it came time to brief certain issues or negotiate certain things, the attorneys would come to me, which gave me opportunities to do more advanced work.”

--Editing by Christine Chun.