

John Ochoa

Chicago, IL

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PARTNER

Overview

John brings an interesting perspective to his clients' cases. For the first five years of his career, he represented consumers and persons in bringing consumer privacy class actions.

As a member of the Cybersecurity & Data Privacy Service Group, John advises clients on best practices and legal requirements for privacy disclosures to consumers given existing and anticipated consumer privacy and state privacy regulations and guidance. John also counsels clients on evolving data privacy laws, particularly those that govern collection, storage and sharing of sensitive private information, including biometric and genetic data. He partners with clients regarding requirements for compliance with state versions of the National Association of Insurance Commissioners regulations. John also advises companies on data breach response, including notifications and related obligations, and counsels them on reducing potential exposure to data incidents.

John has extensive experience litigating privacy and consumer protection claims on behalf of companies, including claims brought under the Telephone Consumer Protection Act (TCPA), the Fair Debt Collection Practices Act (FDCPA), and various state consumer fraud and privacy statutes. He also has significant experience litigating claims involving the use of emerging technology, such as mobile applications and cloud-based services. He represents companies in a variety of industries and service sectors including sales and marketing, wireless/mobile technology, the Internet, health care, insurance, and telecommunications.

Experience

Negotiated a Favorable Class-Wide Settlement Prior to Litigation for a Client Facing Claims under the Mobile Home and Tenant Rights Act

Successfully Compelled Arbitration of Consumer Dispute

SERVICES

Biometric Privacy

Business Litigation

Class Action

Cybersecurity & Data Privacy

EDUCATION

The John Marshall Law School, J.D., 2010, *magna cum laude*

University of Iowa, B.A., 2004, *with honors*

ADMISSIONS

Illinois

John Ochoa

Aggressive Litigation Strategy Resulted in Striking of Class Allegations at Outset of Case

Obtained Dismissal of Putative Class Action Lawsuit Alleging Improper Collection Tactics

Obtained Dismissal of FDCPA Claims at Outset of Litigation

Successfully Defended Auto Dealership Against Class Action Lawsuit

Defeated Class Certification of Tens of Thousands of Putative Class Members Based Upon Lack of Common Questions of Fact and Law

Defended a National Medical Device Company in a Consumer Class Action

Assisted an Accounting Firm that Suffered a Data Breach Orchestrated by Overseas Hackers

Coordinated the Response when a Small Company Suffered a Data Incident After an Employee's Laptop was Stolen

Advised an Insurance Provider on Compliance with New York's Cybersecurity Regulations and Other States Enacting Similar Regulations

Successfully Defended a Medical Service Provider Against Wisconsin Consumer Act Claims in Wisconsin State Court

Defeated a Class Certification in a Case Involving More than 1 Million Pre-recorded Calls

Defended a Hospital from a Class Action Arising from a Data Breach

Developed Novel Defense in a BIPA Suit Based Upon Unique Finger-Scan Captures

Commercial Litigation Counsel to a National RV & Outdoor Retailer

Reduced Client Exposure Significantly in BIPA Claims and Obtained an Early Resolution

Successfully Defended a Company in a Cyberstalking Claim

Membership & Involvement

- Member: American Bar Association, Class Action Section

Firm News

Amundsen Davis Promotes Six Attorneys to Partner
February 26, 2019

In the Media

John Ochoa Interviewed by *Cook County Record* on Genetic Information Privacy Act (GIPA)

Ill. Judge Gives Final OK To \$800K Deal Over Drug Faxes – *Law360* Article Mentions Eric Samore and John Ochoa

Citing *Spokeo*, Judge Blocks TCPA Class Against Pet Insurer - *Law360* Mentions Eric Samore, Molly Arranz, John Ochoa

Alerts

Illinois' Genetic Information Privacy Act: Litigation Trends in 2024 and Beyond

Ready, Set, BIPA! Missouri Among States Considering Biometric Information Privacy Legislation

The Genetic Information Privacy Act Could Bring the Next Wave of Class Actions in Illinois

Hold the Phones: State-level Telemarketing Laws In Effect

New FDCPA Rules Are Now in Effect: Is Your Company Compliant?

New FDCPA Guidance Means Collectors May be in Your DMs in the Near Future

U.S. Supreme Court Decision Leaves Uncertainty for Navigating TCPA Landmines

Insurance Companies Take Note: Another Compliance Concern For Your Cybersecurity "To Do" List

Reassigned Number Database Will Protect Against TCPA Liability For "Wrong Number" Calls

Hang Up and Try Again: D.C. Court of Appeals Rejects the FCC's TCPA Rules

The Seventh Circuit Smacks Down "No Harm" Class Action

Spokeo: Now Part of Your Daily Dose of Data Breach Litigation

The Customer is Always Right? Restaurant Patrons Don't Need to Wait Until Hackers Attack

John Ochoa

Six-Figure Fine Teaches a Lesson in Keeping Your Data Security Promises

Speaking Engagements

Cybersecurity 101

Speaking Engagement, Wisconsin Association of Mutual Insurance Companies, Webcast, December 12, 2023

Amundsen Davis's Ninth Annual Labor & Employment Fall Seminar Event, Livestream, September 13, 2023

Insurance Cybersecurity

Speaking Engagement, Wisconsin Association of Mutual Insurance Companies, Seminar, May 10, 2023

Data Breaches from a Legal Perspective

SCORE Chicago; Cybersecurity Workshop, December 10, 2019

Fighting Cybercrime and Meeting Your Cyber Security Challenges in 5 Steps Seminar; Chicago, IL, October 30, 2019

The State of Cyber Breach Litigation

2016 USLAW Network Data Privacy Security Book Camp, Dallas, TX, November 2016

Published Works

A Fast-Moving Train Coming Into the Insurance Company Station? The Cybersecurity Model Rule for Carriers

USLAW Magazine, July 25, 2019

No Harm, No Foul...No Case

USLAW Magazine, Fall 2016

Blog Posts

Illinois' Genetic Information Privacy Act Litigation Trends and Why Employers Need to Pay Attention

Labor & Employment Law Update, March 20, 2024

Genetic Information Discrimination: FAQs for Employers

Labor & Employment Law Update, April 20, 2023

Protecting Your Cannabis Business from the Trappings of the Telephone Consumer Protection Act

Cannabis Business Legal News, August 18, 2021

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