

# Molly A. Arranz

Chicago, IL

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## PARTNER

### Overview

For Molly Arranz, being a lawyer is about being an advocate. Growing up, she witnessed legal challenges her father faced while he ran his own, small business —issues that resulted from his not finding necessary legal assistance for his company's needs. Her decision to go to law school stemmed from her desire to address this gap and provide legal support for businesses like the one her father owned.

Molly is the chair of Amundsen Davis's Cybersecurity & Data Privacy Service Group. She is a certified privacy professional (CIPP-US) and a recognized Privacy Law Specialist by the American Bar Association. After a decade and a half of defending companies in consumer privacy class actions and against a backdrop of emerging data privacy laws, Molly advises companies in all industries on compliance with a patchwork of privacy laws and regulations, including: consumer protection regulations; tracking technology disclosures; consumers' and employees' rights to access, limit, correct and delete their data; and state and federally mandated notification, disclosure and consent requirements. She also advises a range of companies on their incident response protocol and has served as a breach coach for companies small and large, including multinational and international companies. She counseled a global telecommunications software and cloud computing company on compliance issues for its cloud services. She reviews and advises on data protection addendums and agreements.

Molly is a partner in the firm's Class Action Service Group. She has defended more than 100 class actions involving a range of legal theories, including privacy violations, consumer fraud, breach of contract, breach of warranty, breach of confidentiality and misrepresentation. She defends clients in claims arising from the Federal Wiretap Act, the Illinois Biometric Information Privacy Act (BIPA), the Computer Fraud and Abuse Act (CFAA), the Fair Credit Reporting Act (FCRA), the Fair Labor Standards Act (FLSA), the Telephone Consumer Protection Act (TCPA), the Chicago Residential Landlord and Tenant Ordinance (RLTO), CERCLA, the

### SERVICES

Biometric Privacy  
Business Litigation  
Class Action  
Cybersecurity & Data Privacy  
Data Privacy in the Workplace

### EDUCATION

University of Wisconsin Law School, J.D.  
Marquette University, B.A., *magna cum laude* and Phi Beta Kappa  
Certified Privacy Professional (CIPP-US)

### ADMISSIONS

Illinois  
Wisconsin

Clean Water Act, and RCRA. She represents a wide variety of companies from small family-owned businesses to Fortune 500 companies.

In her career, Molly has also defended more than 75 mass tort cases involving claims arising from allegations of exposure to asbestos, silica and benzene.

## Experience

Secured Dismissal of Website Tracking Claims, Based Upon Use of Meta Pixel, Against a Healthcare Organization

Obtained Dismissal of FDCPA Claims at Outset of Litigation

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

Successfully Compelled Arbitration of Consumer Dispute

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

Defended a National Medical Device Company in a Consumer Class Action

Advising a Multinational Company on a Response and Potential Remedies for a Hacker Bounty Engagement by a Business Partner

Trial Court Dismissed and Appellate Court Affirmed Dismissal in Heating and Air Conditioning Case

Represented a Direct Marketing Company in a \$50 Million Cash-Out Merger and Sale to a Private-Equity Backed Competitor

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

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

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

Represented a Power Equipment Company Against a Products Liability Claim

Developed a Texting Program for an Insurance Company for the Launch of a New Marketing Campaign

Obtained Summary Judgment on Behalf of a Leading Transportation Service in a National Class Action Based on Allegations of the Fair Credit Reporting Act

Helps a National Multi-Line Insurance Company With Multiple Areas of Representation and Business Operations

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Obtained a Defense Verdict in Favor of a Small Company its Corporate Representative Accused of Violating the Telephone Consumer Protection Act

Obtained Dismissal of a Putative Class Action Brought Against an Indiana Financial Institution Challenging its Assessment of Bank Fees

Obtained a Dismissal with Prejudice on the First Day of an Expected Two Week Trial

Assisted with a Data Incident Response to a Disclosure of Protected Health Information

Won a Motion for Summary Judgment in a Telephone Consumer Protection Act Case in a Federal Court in Florida

Investigated a Matter Where Customer Social Security Numbers Were Inadvertently Disclosed

Successfully Defeated Class Certification in Two Landlord Tenant Class Actions

Investigated Data Incident with a Web Server

Successfully Defended a Company in a Cyberstalking Claim

Investigated Personal Information Protection Act After a Breach

Secured Dismissal of a Class Action Lawsuit Based Upon Claims Against a Private Medicaid Administrator

Helped to Revise and Implement a Record Retention Program

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

Assisted with Data Incident Response Where Accounts Were Accessed Overseas

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

Successfully Achieved an Appeal Before the Illinois Appellate Court Holding that the Defendant Who Hired the Fax Broadcaster was Not Liable for TCPA Violations

Assisted a Multi-national Company in Responding to Three Separate Data Incidents

Secured Dismissal of a Technology Company in an Alleged Breach of Personal Data

Coordinated with the First Responders as to a Ransomware Attack from Overseas

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

Obtained Denial of Motion for Class Certification in a Wage and Hour Class Action Lawsuit Brought By Home Health Care Workers

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### Membership & Involvement

- Amundsen Davis Executive Committee
- Member: International Association of Privacy Professionals; American Bar Association; Wisconsin Bar Association
- Former Co-Chair: Amundsen Davis Committee for Diversity and Inclusion

**Court Admissions:** Illinois; Wisconsin; U.S. Court of Appeals Seventh Circuit; U.S. Court of Appeals Eleventh Circuit; U.S. District Court, Central District of Illinois; U.S. District Court, Northern District of Illinois; U.S. District Court, Northern District of Indiana; U.S. District Court, Eastern District of Michigan; U.S. District Court, Western District of Michigan; and, U.S. District Court, Eastern District of Wisconsin.

**Pro Hac Vice Admissions:** Florida; Indiana; Arizona; District of Columbia; U.S. District Court, District of Connecticut; U.S. District Court, Southern District of Florida; U.S. District Court, Eastern District of Missouri; U.S. District Court, Middle District of North Carolina; and, U.S. District Court, Eastern District of Pennsylvania.

### Honors

- Selected to the Illinois Super Lawyers list: 2021, 2022
- Selected to the Illinois Super Lawyers "Rising Stars" list: 2011, 2013
- Selected to *The Best Lawyers in America*® in Mass Tort Litigation / Class Actions - Defendants: 2023
- Law360 Distinguished Legal Writing Award Recipient: 2024

### Firm News

Molly Arranz and Sofia Valdivia Receive Law360 Distinguished Legal Writing Award  
Firm News, March 1, 2024

41 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2023  
Firm News, August 18, 2022

30 Amundsen Davis Attorneys Included on 2022 Illinois Super Lawyers and Rising Stars Lists  
January 28, 2022

27 Amundsen Davis Attorneys Included on 2021 Illinois Super Lawyers and Rising Stars Lists  
January 29, 2021

Amundsen Davis Hosts a Celebration of Hispanic Heritage Month  
October 5, 2017

Cirque Du Soleil Deposit Won't Ax TCPA Suit Yet, Judge Says - *Law360* Eric Samore and Molly Arranz  
*Law360*, October 3, 2016

Cirque Du Soleil Can't End TCPA Suit With Payment: Group - *Law360* Article Mentions Eric Samore and Molly Arranz  
*Law360*, March 11, 2016

Illinois Super Lawyers & Illinois Rising Stars Names 19 Amundsen Davis Attorneys to 2013 List  
January 3, 2013

### In the Media

CyberSecurity Misconceptions -- ITSPMagazine Interviews Molly Arranz

Law Firms Weigh in on Privacy Rules for Biometrics for Online Work and School - BiometricUpdate.com Quotes Molly Arranz

Molly Arranz Quoted in the *Cook County Record* on Facebook Settlement of Biometric Class Actions

How Criminal Organizations Have Refined Their Techniques -- Molly Arranz Quoted by *CNBC*

Cirque Du Soleil Wins TCPA Decert, After China Agritech – *Law 360* Article Mentions Eric Samore, Molly Arranz, Ronald Balfour and Albert Bower

Molly Arranz Quoted in *Chicago Lawyer* Article, "Cyber Insurance: Are Insurers' New Digital-Attack Policies Worth the Hype?"

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

Cirque US Arm Wants Out Of TCPA Junk Fax Complaint - *Law360* Article Mentions Eric Samore and Molly Arranz

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Cirque Wants Stay, Group Wants Cert. In Junk Fax Fight - *Law360* article mentions Eric Samore and Molly Arranz

## Alerts

BIPA Reform on the Horizon: Illinois Legislature Passes Significant Legislation Eliminating Per-Scan Damages

Don't Gamble With Your Cybersecurity and Incident Response Plan: Lessons Learned from the Las Vegas Ransomware Attacks

BIPA's Discretionary Damages in Practice: BNSF Gets Its Shot to Reduce a Historic \$228 Million Judgment

Best Business Practices to Prevent or Reduce the Risk of Wire Transfer Fraud

Another Data Collection Tool Leads to Privacy Class Actions

Employers' Rights Under the Computer Fraud and Abuse Act (CFAA) Narrowed after Supreme Court Decision in *Van Buren*

Ready or Not: New Wisconsin Cybersecurity Law—Act 73—Imposes Cybersecurity Requirements on Insurance Providers

Data Collection Class Actions on the Rise: Consider Your Privacy Compliance

BIPA: The Ongoing Threat of Employee Class Actions and Recent Developments

A Data Protection Checklist for Education Vendors Navigating the "New Normal" of Remote Learning

A National Biometric Privacy Law? Laws Protecting "Biometric" Identifiers Continue to Cut a Blazing Trail

Emails Seemingly Sent from the Small Business Administration Regarding COVID-19 Loan Relief Could Be Phishing Emails: Exercise Caution!

Top 5 Data Privacy Considerations when Managing a Workforce Working at Home

Biometric Data in the Days of Virtual Interaction and E-Learning

Messaging about Deals, Sales or Curbside Pickup? What to Consider Before Texting Customers

Cybersecurity in the Home Office: How to Stay Vigilant During COVID-19

The California Consumer Privacy Act: A Landmark Law Heralding the Future of Consumer Privacy?

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

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Ransomware Attack of Fleet Vehicles? Yes, It Could Happen to You

U.S. Companies with Global-Reach Take Note: GDPR is on the Fast-Approaching Horizon

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

Concrete or Not So Concrete: That is the Question

Holster That Offer: Supreme Court Denies Company's Attempt to Pick-off Lead Plaintiff in a Class Action

## Speaking Engagements

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

How Not to Get Fired as a General Counsel  
Speaking Engagement, The Osthoff Resort; Elkhart Lake, WI, May 18, 2023

Navigating Patient Privacy Against the Backdrop of Court Rulings, New Privacy Laws, and a Sophisticated Threat Landscape  
Speaking Engagement, Hilton Chicago; Chicago, IL, November 18, 2022

Corporate Governance: From Nuts and Bolts to Trending Topics  
Speaking Engagement, Illinois Chamber of Commerce, Webcast, September 21, 2022

Ransomware and Other Cyber-Related Issues  
USLAW Network General Counsel and Outside Counsel Forum; Phoenix, AZ, May 2022

Cyber Threat Actors Have their Eyes on the Construction Industry  
Event, Amundsen Davis, Webcast, November 16, 2021

Cyber Security  
Wisconsin Association of Mutual Insurance Companies, Leadership Retreat; Lake Geneva, WI, October 20, 2021

Weathering the Cyber Attack or Data Incident as a Business  
2021 ATA Litigation Center Trucking Legal Forum, Seminar; Washington, DC, July 28, 2021

Short Course: Cybersecurity Legal Considerations for the Insurance Sector  
Wisconsin Association of Mutual Insurance Companies (WAMIC); Stevens Point, Wisconsin, July 13, 2021

Your Employee Asked to Work Remotely Indefinitely (or Short Term): Important Legal Considerations Before You Say Yes  
Event, Amundsen Davis, Webcast, June 23, 2021

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Attention All In-House Lawyers and GCs: Missteps Before Or After A Data Incident Could Land You In Professional Hot Water  
Event, Amundsen Davis, Webcast, June 2, 2021

BIPA: The Ongoing Threat of Employee Class Actions and Recent Developments  
Illinois Manufacturers' Association, Webcast, November 5, 2020

BIPA: The Ongoing Threat of Employee Class Actions and Recent Developments  
Event, Amundsen Davis, Webcast, October 29, 2020

USLAW Network Virtual Worldwide Retreat: 2021 and Beyond  
USLAW Network, Webcast, September 30, 2020 - October 9, 2020

Data Privacy: Obligations Under the Law and in Practice  
2020 American Trucking Association Litigation Center Trucking Legal Forum,  
Webcast, July 23, 2020

Pandemic Cybersecurity Related Issues and the New Normal  
USLAW Network, Inc, Webcast, June 2, 2020

CLE: Breaches and Biometrics – Current Trends in Data Privacy Enforcement and  
Litigation  
Illinois College of Law and the Law Alumni Board, Seminar; Chicago, IL, February  
20, 2020

Webinar: The California Consumer Privacy Act  
National Automatic Merchandising Association; Webinar, December 4, 2019

Managing Data Security and Privacy Risks  
USLAW Network In-House Counsel Forum, Seminar; Minneapolis, MN, October  
30, 2019

The State of Cyber Breach Litigation: Murky Water that Continues to Swell  
2019 IBA Security Conference; Carmel, IN 46032, October 2, 2019

Cybersecurity Basics for Under-Resourced Organizations  
CyberSecure My Business Workshop, Seminar; Madison, WI, September 24, 2019

Wisconsin Governor's Cybersecurity Summit: Small Enterprise Cybersecurity  
Workshop  
National Cybersecurity Alliance; Madison, Wisconsin, September 24, 2019

Celebrate PRIDE With Amundsen Davis  
Chicago, IL, June 27, 2019

CyberSecure My Business Workshop  
National Cyber Security Alliance; Chicago, IL, May 9, 2019

Electronic Data Storage: How to Protect your Employees' Privacy  
EBANI Meeting, February 27, 2019

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Data Privacy, Immigration, Harassment, Problem Employees - Employer Headaches in 2018 and Beyond  
Event, Amundsen Davis, Seminar; Lombard, IL, September 26, 2018

Trying to Put a Finger on Data Privacy Issues: Biometrics -- A Headache for Illinois Companies  
Illinois Chamber of Commerce; Webinar, April 12, 2018

What is Your Legal Exposure When Using Third-Party Cloud Providers  
3rd Annual Financial Services Cybersecurity Conference, Indiana Infragard Members Alliance; Carmel, IN, March 22, 2018

Celebrate PRIDE With Amundsen Davis  
SmithAmundsen Hosted It's Fourth Annual PRIDE Celebration  
Brando's Speakeasy, June 21, 2017

Cybersecurity: Stopping Scammers in Their Tracks!  
Better Business Bureau; Chicago, IL, May 2, 2017

Protecting Data and Your Company: Cybersecurity Update  
Illinois Chamber of Commerce; Webinar, March 2, 2017

The State of Cyber Breach Litigation  
2016 USLAW Network Data Privacy Security Book Camp, Dallas, TX, November 2016

The Inevitable Class Action: Preparing for, Defending and Recovering from Potential, Company Calamity  
Association of Corporate Counsel, Chicago, IL, November 2, 2016

Protecting Your Data - Challenges & Best Practices  
Illinois Chamber of Commerce, Webinar, July 13, 2016

Celebrate PRIDE With Amundsen Davis  
June 23, 2016

Amundsen Davis Hosts Third Annual Black History Month Event  
Park Hyatt, Chicago, IL, February 18, 2016

### Published Works

"Pixels" and "Cookies," Charming Terms for Tracking Technology, Can Lead to Ugly Data Privacy Headaches  
Publication, *USLAW Magazine*, Summer 2023

Top 5 Cyber Security Threats the Manufacturing Industry Should Watch in 2022  
*The Illinois Manufacturer*, February 2, 2022

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A Fast-Moving Train Coming Into the Insurance Company Station? The Cybersecurity Model Rule for Carriers  
*USLAW Magazine*, July 25, 2019

Electronic Logging Devices (“ELD”): Yet Another Avenue for a Cyber Attack?  
*The Transportation Lawyer*, April 2019

Trying to Put a Finger on the New Frontier of Privacy Compliance: Biometric Data  
*Indiana Bankers Association*, December 8, 2017

No Harm, No Foul...No Case  
*USLAW Magazine*, Fall 2016

## Blog Posts

BIPA Reform on the Horizon: Illinois Legislature Passes Significant Legislation Eliminating Per-Scan Damages  
*Labor & Employment Law Update*, May 17, 2024

It’s Now Official --- A Union Worker’s BIPA Claims are Subject to Federal Labor Law Preemption  
*Labor & Employment Law Update*, March 27, 2023

The Hits Keep Coming: Illinois Supreme Court Finds Claims Accrue Upon Each Scan or Transmission Under BIPA  
*Labor & Employment Law Update*, February 17, 2023

Illinois Supreme Court Confirms a 5-Year Statute of Limitations Applies to All BIPA Claims  
*Labor & Employment Law Update*, February 2, 2023

The California Privacy Rights Act Brings New Data Requirements for Employers in 2023  
*Labor & Employment Law Update*, December 7, 2022

BIPA Strikes Again: \$228 Million Verdict Awarded in First BIPA Jury Trial  
*Labor & Employment Law Update*, October 18, 2022

Top Five Data Privacy Considerations Before Using Online Hiring Platforms  
*Labor & Employment Law Update*, June 9, 2022

BIPA’s Statute of Limitation and Claims Accrual – Two Anticipated Decisions in State and Federal Courts  
*Labor & Employment Law Update*, May 4, 2021

7th Circuit Allows USERRA Class Action to Proceed  
*Labor & Employment Law Update*, March 11, 2021

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IL Supreme Court to Consider Impact of Workers' Compensation Exclusive Remedy Rule on BIPA Claims

*Labor & Employment Law Update*, January 29, 2021

BIPA: The Ongoing Threat of Employee Class Actions and Recent Developments

*Labor & Employment Law Update*, October 9, 2020

Biometric Data in the Days of Virtual Interaction and E-Learning

*Labor & Employment Law Update*, April 7, 2020

Facebook Agrees to \$550 Million Settlement in BIPA Class Action

*Labor & Employment Law Update*, February 4, 2020

Facebook Facing Massive Class Action Trial: Ninth Circuit Rules BIPA Class Action Can Proceed

*Labor & Employment Law Update*, August 12, 2019

Illinois Supreme Court Rules Actual Damages, Injury or Harm Not Necessary in Biometric Privacy Case

*Labor & Employment Law Update*, January 25, 2019

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