



Amanda Rose Martin

Associate

Cleveland

P: 216.348.5774

Practice Focus

- Data privacy litigation
- Data privacy and cybersecurity
- Breach coaching and incident notification
- Regulatory investigations and government response
- Proactive measures and breach prevention
- Financial services

Amanda is an associate in the firm's national Data Privacy and Cybersecurity Practice Group and focuses her practice specifically in the area of data privacy and cybersecurity.

Amanda has experience in advising clients in the areas of data privacy and cybersecurity. Amanda works with clients in this emerging area of focus, ensuring compliance with federal and state data privacy protection statutes, regulations, and regulator guidance. Her experience in this area includes helping clients draft and implement policies and processes, evaluating compliance requirements with respect to state and federal laws and foreign regulations, and evaluating existing compliance programs and companies' risk. She has also reviewed and revised privacy policies, terms and conditions, and data breach response policies to ensure compliance with legal obligations and industry best practices.

Amanda is experienced in advising state and federal banks, automotive and personal property finance companies, fintech companies and small loan companies on a variety of compliance and regulatory matters including licensing, rates and fees, substantive conduct, business planning, and other operational considerations. Amanda has particular familiarity in working with consumer-facing financial services products, and has advised on issues relevant to sales finance, personal property secured and unsecured lending, consumer and commercial loan brokering, lead generation, and third-party data aggregation. Amanda has a significant amount of experience relating to state compliance issues, including state lending and licensing laws, consumer credit laws, and consumer protection laws.

Amanda has an interest and focus on the application of technology to regulated industries. This interest has furthered her experience in reviewing innovative business and lending models (including bank partnership lending), apps, fintech platforms, and electronic contracts for compliance with state and federal law.

Relevant Experience

- Revising privacy policies, terms and conditions, and data breach response policies for compliance with state and federal data privacy laws

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- Compiling 51-jurisdiction research for the purpose of advising on data breach laws and response obligations
- Reviewing electronic signature and electronic contract processes, phone or device applications, and websites for compliance with state and federal law
- Assisting clients with internal audits to prepare for examination by federal and state regulators
- Communicating with regulators on behalf of clients to ensure continued compliance with state laws and regulations
- Drafting and revising consumer credit agreements, including direct and indirect agreements
- Preparing 51-jurisdiction research regarding rates and fees, disclosures, licensing requirements, and substantive conduct requirements affecting unsecured and personal property secured financing

Admissions - State

- Ohio

Education

- Cleveland-Marshall College of Law
- Case Western Reserve University

Honors and Awards

- Selected for inclusion in *Ohio Rising Stars* (2019-2021)
- FDCC Ladder Down Cleveland (2019)

Professional Membership

- Cleveland-Marshall College of Law, Adjunct Professor, Legal Writing; Master of Legal Studies in Cybersecurity and Data Privacy
- 2020 Ladder Down Cleveland; Committee Member
- American Bar Association, Business Law Section; Committee on Consumer Financial Services; Privacy & Data Security Subcommittee Young Lawyer Liaison
- Cleveland Metropolitan Bar Association, Business, Banking & Corporate Counsel Section

Alerts

- 9 tips for keeping your workforce CyberSavvy while working from home
- 12 back-to-school cybersecurity tips for parents
- New Jersey revises data breach law, expands definition of personal information to include online account information
- Washington overhauls data breach law
- Supreme Court of Illinois holds no actual injury is required to state a claim under the Illinois Biometric Information Privacy Act

Blog Posts

- Washington DC expanding data breach notification law
- 10 ways to stay CyberSavvy while employees return to work
- California Consumer Privacy Act of 2018: What you need to know
- 5 California Consumer Privacy Act amendments signed into law
- Nevada updates privacy law, requires offer to opt out of data sale
- New data privacy laws broaden protections for NY residents and impose major obligations on organizations
- How will you respond to a ransomware attack?
- JPMorgan Chase the first major bank to create its own digital currency
- Google fined millions for alleged GDPR violations

News

- 15 McDonald Hopkins attorneys selected to 2021 Ohio Super Lawyers and Rising Stars list

External Publications

- "Developments in Advertising and Consumer Protection in Cyberspace," The Business Lawyer; Volume 73, Winter 2017-2018.
- "Consumer Financial Services Answer Book 2017," Practising Law Institute, 2017.
- "It's Not all Memes and GIFs: E-Contracting for Millennial Consumers," Cleveland Metropolitan Bar Journal, January 25, 2017.

Events

- Drafting & Implementing Bring Your Own Device Policies | Thursday, October 29, 2020
- Incident Response | Thursday, September 17, 2020
- PPP Loan Forgiveness & Going from Brick and Mortar to Virtual | Wednesday, September 16, 2020

Speaking Engagements

- "How the Cookie Crumbles: An overview of data privacy and cookies," ABA Business Law Spring Meeting, April 19, 2021
- "Careers on Cybersecurity/Privacy" panel, Cleveland Marshall College of Law, October 26, 2020
- "Cyber Incident Response" panel, Women in eDiscovery NYC Chapter, May 14, 2020
- "Cybersecurity: Technology, Risk and the Law," Ohio Grocers Association, 2020 Loss Prevention Summit, February 11, 2020
- "Once More into the (Data) Breach: The Preparation for, Response to, and Ethics of Security Incidents" - Professional Liability Services Seminar, November 22, 2019
- "Incident Response and Cyber Risk Insurance," Cybersecurity & Privacy Protection Conference 2019, Cleveland-Marshall College of Law (May 31, 2019)
- "Creating an Electronic Loan Transaction: E-SIGN, UETA, Apps, Website (ADA), and Privacy Issues," 2018

Consumer Finance Legal Conference (October 18, 2018)

- "Marketplace Lending Update: Litigation, Enforcement, and Regulatory Challenges," 2018 Consumer Finance Legal Conference (October 18, 2018)
- "2018 Privacy and Data Security Update," ABA Business Law Section Annual Meeting (September 12, 2018)
- "E-Contracting Issues for both Mortgage and Non-Mortgage Products," 16th Annual Consumer Finance Legal Conference (October 13, 2017)
- "Third-Party Data Aggregators, Business Process Outsourcing: Vendor Management, Privacy, and Related Concerns," 16th Annual Consumer Finance Legal Conference (October 13, 2017)
- "The Future of the Bank Partnership Program," 16th Annual Consumer Finance Legal Conference (October 12, 2017)
- "The Problem with Millennials: How to Structure Your Loan Products to Appeal to Both Regulators & the Online Generation," 15th Annual Consumer Finance Legal Conference (September 30, 2016)
- "Mobile Payments: Introduction to Virtual Currency & Emerging Payments; Update on Electronic Payment Issues," 15th Annual Consumer Finance Legal Conference (September 29, 2016)
- "FinTech/Online Lending," 15th Annual Consumer Finance Legal Conference (September 29, 2016)
- "Online Loan Origination Compliance Concerns for Lead Generators and Lenders," 14th Annual Consumer Finance Legal Conference (October 22, 2015)
- "Recent Trends in CFPB Enforcement," 14th Annual Consumer Finance Legal Conference (October 21, 2015)