



## Brian E. Middlebrook

**PARTNER**

New York

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### RELATED SERVICES

- Professional Liability Defense
- Product Liability
- Technology Litigation
- Artificial Intelligence
- Commercial Litigation
- Cyber, Privacy & Data Security
- Healthcare
- Trial Practice

### OFFICES

- New York

### OVERVIEW

Brian Middlebrook is a Partner in the New York office of GRSM and Co-Chair of the firm's Cyber, Privacy & Data Security practice group.

His practice focuses on cybersecurity, technology, and media litigation, as well as professional liability and complex commercial litigation. He also regularly advises clients on data privacy and cybersecurity incident response. He represents a broad range of clients, including individuals, insurance agents and brokers, attorneys, accountants, corporations, directors and officers, healthcare facilities, manufacturers, retailers, insurance carriers, and municipalities against claims of civil liability in state and federal courts in New York and throughout the United States.

Brian also regularly counsels clients on a broad range of cyber liability and risk avoidance issues, seeking to minimize exposure to regulatory action and litigation by assisting in the preparation of privacy policies,

programs, and procedures, as well as a broad range of commercial agreements.

Prior to joining GRSM, Brian was lead associate to U.S. counsel for several multinational corporations, managing all aspects of complex product liability, commercial, and general defense litigation throughout the United States. He also previously served as Assistant Corporation Counsel with the New York City Law Department, where he successfully defended the City as a trial attorney.

## **PUBLICATIONS**

- New York Expands Scope of Data Breach Notification and Cybersecurity Requirements and Enacts SHIELD Act, *GRSM Privacy & Data Security Law Update*, August 2019
- Cybersecurity and the Lawyer's Standard of Care, Spring 2018 Newsletter, *ABA Commercial and Business Litigation*, May 2018

## **PRESENTATIONS**

- Natural Intelligence for Privacy: Staying Smart in the Era of PETs, Pixels and Prompts, GRSM Legal Education Conference, New York, NY, May 2024
- Natural Intelligence for Privacy: Staying Smart in the Era of PETs, Pixels and Prompts, GRSM Legal Education Conference, Hartford, CT, April 2024
- Healthcare Data Breaches Triggering OCR Investigations, Penalties and Third-Party Exposure, GRSM Legal Education Conference, New York, NY, May 2023
- Healthcare Data Breaches Triggering OCR Investigations, Penalties and Third-Party Exposure, GRSM Legal Education Conference, Hartford, CT, May 2023
- Hot Cyber Litigation Issues, ExecuSummit, March 2022
- Hot Topics in Cyber – Lessons from 2020 and the Landscape for 2021, ExecuSummit, February 2021
- The Anatomy of a Healthcare Data Breach: Regulatory Investigations and Third-Party Litigation, CMPL Webinar, May 2020
- Cybersecurity Risks & Increasing Claims in the COVID-19 Era – Where We've Been, Where We Are and Where We're Going, Pitfalls in the Emerging Workforce Post-COVID-19 Isolation Webinar Series, May 2020
- Best Practices When Working Remotely: Cyber Vulnerabilities and Ethical Considerations, ExecuSummit, May 2020
- Scamming Gone Viral – Maintaining Your Company's Cyber Hygiene in the Wake of COVID-19, NAPABA, March 2020
- Privacy Rules: What Do I Need to Know, GRSM Chicago Legal Education Conference, October 2019
- Hot Cyber Litigation Issues, 8th Annual National Cyber Liabilities Insurance ExecuSummit, March 2019

- 2018 Cyber Litigation Update – Claims & Judicial Inconsistencies on the Rise, CLM Cyber Summit, New York, NY, October 2018
- Professional Liability & Cybersecurity Litigation Trends & Risk Management Strategies, Lawline, New York, NY, August 2018
- Hot Data Breach Litigation Issues, 7th Annual Cyber Liabilities Insurance ExecuSummit, March 20, 2018
- The Future of Legal Malpractice: Cybersecurity, Lawline, New York, NY, August 2017
- Recent Study Reveals Interesting Trends in Cyber Attacks in First Quarter of 2017, GRSM Privacy Teaches and Breaches blog, April 19, 2017
- Hot Data Breach Litigation Issues, 6th Annual National Cyber Liabilities Insurance ExecuSummit, March 21, 2017
- Recent Developments in Legal Malpractice & Practice Tips for Avoiding Claims, Lawline CLE Program, March 2017
- Trends and Recent Developments in Malpractice Law, GRSM National Professional Liability Webinar Series, May 2016
- Top 10 Malpractice Claims and How to Avoid Them, GRSM National Professional Liability Webinar Series, March 2015

## **CREDENTIALS**

### **Admissions**

- New York
- U.S. District Court, Southern, Eastern, Northern, and Western Districts of New York
- U.S. Court of Appeals, Second Circuit

### **Education**

- J.D., *with honors*, American University, Washington College of Law  
- *Administrative Law Review*, Senior Member
- B.A., *magna cum laude*, Psychology, Binghamton University  
- Phi Beta Kappa Honor Society

### **Honors**

- *Super Lawyers*® Rising Stars (2019)