



Amy Keller, CIPP/US

Partner

Chicago

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Overview

Amy Keller has held leadership positions in a variety of complex litigations across the nation, where she successfully litigated high-profile and costly data security and consumer privacy cases. As the Managing Partner of the firm's Chicago office and the Privacy, Technology, and Cybersecurity practice chair, she is the youngest woman ever appointed to serve as co-lead class counsel in a nationwide class action. In the multidistrict litigation against Equifax related to its 2017 data breach, Amy represented nearly 150 million class members and helped to secure a \$1.5 billion settlement, working alongside federal and state regulators to impose important security practice changes to protect consumer data.

Amy has represented consumers against industry titans like Apple, Marriott, Electrolux, and BMW, securing victories against each. She has been appointed to leadership positions in more multidistrict litigations than any other woman in the past eight years, each case requiring sophistication in not only understanding complex legal theories, but also in presenting multifaceted strategies and damages modeling to ensure favorable results. For example, in leading a nationwide class action related to a data breach that exposed the confidential information of over 300 million individuals, Amy worked with her team to develop an argument recognized by the trial court that the loss of someone's personal information, alone, could trigger financial liability, and later secured a rare victory, certifying that case to proceed as a class action to trial. In another matter, Amy defended her team's victory all the way to the U.S. Supreme Court, ensuring that consumers would be able to band together as a class when a company defrauds them for small amounts individually that are worth millions of dollars in the aggregate.

Amy is rated by *Chambers & Partners* for her work in cybersecurity litigation and is an elected member of the American Law Institute. She serves on the Steering Committee of the Sedona Conference's Working Group 11, which focuses on advancing the law on issues surrounding

technology, privacy, artificial intelligence, and data security, and she is also on drafting teams for both Model Data Breach Notification Principles and Statutory Remedies and the California Consumer Privacy Act. Her work in cybersecurity and privacy has been recognized many times over—in both 2021 and 2022, she was honored as one of *Benchmark Litigation's* Top 250 Women in Litigation; in 2020 and 2021, she was named by *The National Law Journal* as one of the Elite Women in the Plaintiffs' Bar; and the practice group which she chairs has won Practice Group of the Year in 2020, 2021, and 2022 by *Law360* and in 2020 by *The National Law Journal*. Amy is also recognized by Illinois Super Lawyers as a "Rising Star," and was named a "trailblazer" by *The National Law Journal*. In 2022, Amy was named to the "40 Under 40" list for *Crain's Chicago* for her leadership in litigation roles and promoting diversity and inclusivity in the bar.

Amy proudly holds leadership positions in both the American Association for Justice and the Public Justice Foundation, organizations which both focus on access to the courts for civil litigants.

Practice Areas

CLASS ACTION LITIGATION

COMMERCIAL LITIGATION

ENVIRONMENTAL LITIGATION

PRODUCT LIABILITY

PUBLIC CLIENT

PRIVACY, TECHNOLOGY, AND CYBERSECURITY

Education

The John Marshall Law School, J.D. (n/k/a The University of Illinois Chicago School of Law)

University of Michigan, B.A.

Representative Matters

Appointed to the Plaintiffs' Executive Committee in *In re T-Mobile Customer Data Security Breach Litigation*, No. 21-md-03019 (W.D. Mo.), where she is charged with opposing the telecom giant's efforts to force its customers to individually arbitrate their claims, protecting access to the court system for consumers across the U.S.

Serves as co-lead counsel in *In re Blackbaud, Inc. Customer Data Security Breach Litigation*, No. 20-mn-02972 (D.S.C.), where she represents hundreds of millions of students, donors, patients, and parishioners whose data was stolen by a cybercriminal, securing significant victories at the trial court level concerning Article III standing to bring data breach cases.

Appointed co-lead counsel in *In re Marriott International, Inc. Customer Data Security Breach Litigation*, No. 19-md-02879 (D. Md.), where she presently represents approximately 300 million consumers in a data breach case and worked to secure a pre-trial ruling recognizing the value of personal information.

Serves as co-lead counsel in *In re Fairlife Milk Products Marketing and Sales Practices Litigation*, MDL No. 2909, No. 19-cv-3924 (N.D. Ill.), where she represents millions of consumers across the U.S. against several “big-ag” defendants for misrepresentations related to the ethical and humane treatment of dairy cows.

Appointed co-lead counsel in *In re American Medical Collection Agency, Inc., Customer Data Security Breach Litigation*, No. 19-md-2904 (D.N.J.), where she represents individuals whose healthcare information was exposed in a data breach involving a collections agency.

Served as co-lead counsel in *In re Equifax, Inc. Customer Data Security Breach Litigation*, No. 17-md-02800 (N.D. Ga.), where she represented nearly 150 million consumers, secured a \$1.5 billion settlement, and worked alongside state and federal regulators to enact business practice changes to protect consumer data.

Named Co-Chair of Law and Briefing on the Plaintiffs’ Executive Committee in *In re: Apple Inc. Device Performance Litigation*, No. 18-md-02827 (N.D. Cal.), which resulted in a settlement of up to \$500 million to consumers who alleged the performance of their devices was “throttled.”

Represented plaintiffs in class action litigation against BMW over design defects causing electrical failures in *Catalano v. BMW of North America, et al.* (S.D.N.Y.).

Served as co-lead settlement class counsel in *Roberts, et al. v. Electrolux Home Products, Inc.*, No. SACV12-1644, (C.D. Cal.), representing consumers in a nationwide class action settlement involving defective clothes dryers that presented a fire risk to consumers’ homes, securing a settlement valued at \$35 million.

Awards & Honors

Illinois Litigation Star – Commercial, Plaintiff Class Action, **Benchmark Litigation** (2023-2024)

500 Leading Plaintiff Consumer Lawyers, **Lawdragon** (2023-2024)

Up and Coming Attorney, Litigation: Mainly Plaintiffs – Illinois, **Chambers USA** (2021-2023)

Privacy & Data Security: Litigation – USA – Nationwide, **Chambers USA** (2022-2023)

40 Under 40, **Crain’s Chicago Business** (2022)

Top 250 Women in Litigation, **Benchmark Litigation** (2021-2022)

Next Generation Partner, Product Liability, Mass Tort and Class Action – Plaintiff, **The Legal 500** (2021-2022)

National Trial Lawyers 40 Under 40, **The National Trial Lawyers Top 100** (2018, 2021)

Elite Women of the Plaintiffs Bar, **The National Law Journal** (2021 and 2020-Winner)

Women of Influence, **Chicago Business Journal** (2020)

Litigator of the Week, **American Lawyer** (2019)

Plaintiffs' Lawyers Trailblazer, **The National Law Journal** (2018)

Richard H. Driehaus Award for Preservation Advocacy, **Landmark Illinois** (2018)

Preservation Advocacy Award, **City of Chicago** (2018)

Illinois Rising Star, **Super Lawyers** (listed annually since 2017)

Publications & Presentations

Hair Straightener & Social Media Litigation, HarrisMartin's MDL Conference, January 2023

"Women in the Law: The Rise to Leadership in Class Actions," Miami Law Class Action & Complex Litigation Presentation with Upchurch, Watson, White and Max, January 2022

"Interface Webinar Series with Faegre Drinker Biddle & Reath LLP," 2021 and 2022

"Why Providing Younger Attorneys, Women, and Persons of Color with Advancement Opportunities Makes Good Business Sense," Chicago Business Journal, December 2020

"The Rise of Women to Leadership in Class Actions: A Look at the Cases Women are Leading and Defending with Congresswoman Katie Porter (D- CA)," September 2020

"State Regulatory Update on Privacy and Data Security Laws," Cleveland- Marshall College of Law Cybersecurity & Privacy Protection Conference (2020)

"Murky Waters," TRIAL, May 2020

"The California Consumer Privacy Act," Faegre Drinker Biddle & Reath LLP, 2020

"Privacy and Data Breach Litigation Update," Mass Torts Made Perfect, 2020

"Data Breach and Privacy Litigation Update," King & Spalding LLP, 2019

"A Broken Net: When Consumer Goods Get Hacked," TRIAL, December 2018

Moderator, Chicago Bar Association Class Action Committee Winter Seminar, "Class Actions and the Trump Administration" (2017)

Panelist, Women's Bar Association of Illinois panel on Emerging Issues in Privacy and Technology Law (2017)

Speaker, Current Trends in Product Liability Class Action Litigation, Perrin Class Action Litigation Conference in Chicago, Illinois (2016)

Speaker, A Funny Thing Happened on the Way to the Forum: When to Choose Federal Over State Court, American Bar Association Section of Litigation Annual Conference in Chicago, Illinois (2016)

Moderator, Chicago Bar Association 2015 Annual Spring Seminar on Class Action Litigation in Chicago, Illinois (2015)

Speaker, *Circuit Court Update*, ABA Section of Labor and Employment Law, 6th Annual Section Conference in Coronado, California (2013)

Preemptive Collateral Estoppel Blocks Consumer Class Action in *Thorogood*, CADS Report, Vol. 21, Winter 2011 (Co-authored by associate Dawn M. Goulet)

The Criminal Law Edit, Alignment and Reform Initiative: A Symposium on the New Criminal Code, 41 J. MARSHALL L. REV. 610-935 (Spring 2008) (as Chair of the Symposium)

Admissions & Memberships

Bar Admissions

Illinois

Michigan

Court Admissions

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Eleventh Circuit

U.S. District Court, Northern District of Florida

U.S. District Court, Southern District of Florida

U.S. District Court, Northern District of Illinois

U.S. District Court, Southern District of Illinois

U.S. District Court, Northern District of Indiana

U.S. District Court, District of Maryland

U.S. District Court, Eastern District of Michigan

U.S. District Court, Western District of Michigan

U.S. District Court, District of Nebraska

U.S. District Court, Northern District of Ohio

Memberships

American Law Institute, elected member

The Public Justice Foundation Executive Committee and Board, member

American Association for Justice Data Breach and Cybersecurity Practice Group Committee, chair

The Sedona Conference Working Group 11 Steering Committee, member

Illinois State Bar Association, member

American Bar Association, member

Chicago Bar Association Class Action Committee, member

Chicago Bar Association Entertainment Committee, member