

Alex M. Pearce

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Legal Assistant

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Education

J.D., STANFORD LAW SCHOOL, 2004

Honors: With Distinction

Journal: Stanford Journal of International Law

B.A., WAKE FOREST UNIVERSITY, 2001

Honors: *summa cum laude*; Phi Beta Kappa

Practice Areas

- Privacy & Data Security
- Unfair and Deceptive Trade Practices



Alex Pearce concentrates his practice in Privacy and Data Security law. A former in-house privacy lawyer for a global software company, Alex understands first-hand the challenges that confront organizations seeking to understand and manage the risks posed by this dynamic field. Drawing on that experience, he emphasizes teamwork, efficiency, and creative thinking in finding practical solutions to cutting-edge privacy and data security issues.

Alex's broad and varied experience includes partnering with clients in the technology, financial services, manufacturing, life sciences, higher education, non-profit, hospitality, and real estate sectors on a wide range of matters that implicate domestic and international privacy and data security considerations. Representative matters include:

- Counseling clients on the European Union's General Data Protection Regulation (GDPR) and helping to design and implement global compliance strategies;
- Advising clients on cybersecurity incidents and breach response, including interactions with state and federal regulators;
- Drafting and negotiating cloud computing, technology services, and data processing agreements;
- Counseling clients on compliance with privacy and data security laws and regulations in the design and delivery of online, offline, and mobile product and service offerings; and
- Representing clients in disputes that implicate privacy and data-security issues, including litigation involving international and cross-border discovery.

In 2018 Alex was certified as a Specialist in Privacy and Information Security Law by the North Carolina State Bar Board of Legal Specialization as part of its inaugural class of board-certified Specialists in the field.

Alex has been certified by the International Association of Privacy Professionals (IAPP) as a Certified Information Privacy Professional/United States (CIPP/US), a Certified Information Privacy Technologist (CIPT), and a Fellow of Information Privacy (FIP). In 2018 he was designated by the IAPP as a Privacy Law Specialist as part of its inaugural class of specialists in the area of Privacy Law.

Alex frequently writes and speaks on privacy and data security issues and is an editor of [What's Fair?](#), a blog on the law of unfair trade practices and privacy and data security.

Alex rejoined Ellis & Winters in 2017 after serving for six years as in-house counsel for SAS, a global provider of analytics, business intelligence and data management software and services. While practicing at SAS he served as the company's lead Privacy Counsel. In that role he managed the company's global privacy program and advised on domestic and international privacy and data security issues arising throughout the company's operations.

During his initial tenure at Ellis & Winters, from 2007 through 2010, Alex maintained a complex litigation practice and represented clients in state and federal trial and appellate courts. His diverse

litigation experience includes representing technology companies in complex commercial contract and intellectual property disputes.

Alex earned his law degree from Stanford Law School. Following law school he served as a law clerk for the Honorable Milton I. Shadur in the United States District Court for the Northern District of Illinois, and then began his career in private practice at Winston & Strawn LLP in Chicago. He earned his undergraduate degree in political science from Wake Forest University.

A native of Santa Fe, New Mexico, Alex lives in Raleigh with his wife and two daughters. He is a locally competitive runner and enjoys racing distances from the 5K to the marathon.

Publications

- "[Can Companies Disclaim and Limit Liability for Data Breaches in Online Terms of Service?](#)" *Journal of Internet Law*, July, 2018
- "[Defending the Business-to-Business Data Breach Lawsuit](#)" *DRI For the Defense*, December, 2017
- "[Defending Novel Theories of Harm in Data-Breach Litigation](#)," *Bloomberg Law Privacy and Data Security Law Report*, October 30, 2017
- "[Data security law: Managing the legal risks of cloud and collaboration tools](#)," *Business North Carolina, 2017 Law Journal*, September, 2017
- "[Strategies for Managing Privacy and Data Security Risk in Vendor Engagements](#)," *The Inside Scoop*, Corporate Counsel Section, North Carolina Bar Association, April 2017

Presentations

- *California Consumer Privacy Act Panel*; International Association of Privacy Professionals Raleigh/Durham KnowledgeNet Meeting, November 28, 2018
- *The Inside Job: Cybersecurity, Trade Secret Protection, and Departing Employee Data Theft*; Association of Corporate Counsel-Research Triangle Area Chapter, Cary, NC, May 16, 2018 (with [Tom Segars](#) and [Sean Fernandes](#))
- *Darned if you do? Navigating Conflicts Between International Data Protection Laws and US Discovery*, International Association of Defense Counsel Webinar, April 11, 2018
- *Managing Privacy and Data Security Risk in eDiscovery*, Women in eDiscovery, Raleigh/Durham Chapter Meeting, June 13, 2017
- *Legislative and Regulatory Developments in Cybersecurity and Data Privacy*; Benchmark Data Security and Privacy Forum, February 14, 2017
- *Key Issues and Ingredients of Compliant and Effective Information Governance: Compliance with respect to handling data from the U.S. and from outside the U.S.*; NCHICA Academic Medical Center Security and Privacy Conference, June 27, 2016
- *Risks, Costs, Disputes and Litigation*; North Carolina Chamber and U.S. Chamber of Commerce Cybersecurity Conference, December 15, 2015
- *Best Legal Practices for Information Security and Privacy: Advising Private and Governmental Clients*; NC State Lawyers Alumni Annual Meeting, October 30, 2015
- *Data Privacy and HR*; Triangle Society for Human Resource Management, April 24, 2015

Professional Associations and Memberships

- North Carolina Bar Association
 - Chair, Privacy and Data Security Committee
- International Association of Privacy Professionals (IAPP)
- Sedona Conference Working Group 11, Data Security and Privacy Liability
- Sedona Conference Working Group 6, International Electronic Information Management, Discovery and Disclosure
- Carolina Privacy Officials Network