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Damon W. Silver is a principal in the New York City, New York, office of Jackson Lewis P.C. and co-leader of the firm's Privacy, Data and Cybersecurity practice group. He is a Certified Information Privacy Professional (CIPP/US).

## Practices

- Financial Services
- Technology
- National Compliance and Multi-State Solutions
- California Consumer Privacy Act
- Environmental, Social and Governance (ESG)
- Higher Education
- Employment Litigation
- Privacy, Data and Cybersecurity
- Privacy Litigation
- Artificial Intelligence & Automation
- Hotels

## Education

- New York University School of Law, J.D. 2012
- Duke University, B.A. 2008

## Admitted to Practice

- 2nd Circuit Court of Appeals 2016
- New Jersey - D. N.J. 2014
- New York - E.D. N.Y. 2014
- New York - S.D. N.Y. 2014
- New Jersey 2012
- New York 2013

## Privacy, Data and Cybersecurity

Damon helps clients across various industries—with a focus on financial services, healthcare, and education—handle their data safely. He works with them to pragmatically navigate the challenges they face from cyberattacks, technological developments (like AI), a fast-evolving data privacy and security legal compliance landscape, and an active and innovative plaintiffs' bar.

Damon recognizes that needs vary from one client to the next. Large, mature organizations, for instance, may need assistance managing multi-jurisdictional and multi-faceted compliance obligations. Others may be in a stage of development where their greatest need is to triage what must be done now and what can more safely be left for later. Damon takes the time to understand each client's circumstances and priorities and then works with it to develop tailored approaches to effectively managing risk without unnecessarily hindering business operations.

Representative examples of Damon's work include:

- Assisting an EdTech company to create and implement a compliance framework—including associated policies, procedures, notices, and contracts—for multiple AI tools it developed.
- Assisting a large financial services firm to develop, implement, and maintain (1) a data mapping program for its IT, marketing, CRM, and HCM data assets, and (2) processes for vetting and contracting with the dozens of technology vendors the firm engages.
- Assisting hundreds of clients to vet the technologies they are using—or want to use—including AI chatbots and meeting assistants, website trackers like cookies and pixels, AI-powered employee monitoring tools, biometric timeclocks and access controls, and geolocation trackers.
- Assisting hundreds of clients to investigate and respond to data incidents, including incidents that impacted over 1 million individuals and resulted in extensive class action litigation and regulatory investigations.
- Assisting hundreds of clients to develop and implement programs to comply with data privacy and security frameworks like the CCPA, GDPR, HIPAA, the NIST Cybersecurity Framework, and New York Education Law 2-d.

## Employment

Damon also partners with clients to navigate thorny employee relations issues, such as employee leave and accommodation requests, investigating internal complaints, and

assessing risks related to discipline and termination decisions.

## Honors and Recognitions

- *The Best Lawyers in America*®, “Litigation – Labor and Employment” (2025)

## Speeches

- “AI in the Workplace: Legal Implications for Employers,” Association of Corporate Counsel General Counsel Toolkit Conference (June 2025)
- “Data Privacy for Lawyers: Managing Risks in Your Practice,” Florida Bar Association Webinar (May 2025)
- “The Privacy Litigation Dilemma,” Ascot Conference (March 2025)
- “By the End of 2025, Expansive Privacy Laws Will be Effective in 16 States: How’s Your Compliance Program,” JL Webinar (January 2025)
- “Demystifying Data Protection,” SHRM NYC Webinar (November 2024)
- “Navigating the Data Privacy Landscape,” Independent Community Bankers of America Webinar (September 2024)
- “Generative AI, Deepfakes, Voiceprints, and Cybersecurity: AI Risks Facing Your Organization,” JL Workplace Horizons Conference (April 2024)
- “Digging Into Employees’ Daily Digital Use,” JL Workplace Horizons Conference (April 2024)
- “ESG: How Data Privacy Relates to Good Governance Practices,” JL We Get Work Podcast (March 2024)
- “The Cost After the Storm: Navigating Remediation After a Cyber Event,” NetDiligence Cyber Risk Summit (October 2023)
- “The Website Tracking Dilemma,” Starr Conference (October 2023)
- “What to Include in an Incident Response Plan,” JL We Get Work Podcast (October 2023)
- “Navigating the Risks of Website Tracking Technologies,” JL We Get Work Podcast (October 2023)
- “Data Protection: Preventative Measures – How Ready Are You?,” Association of Corporate Counsel of New Jersey (October 2023)
- “2023 Mid-Year Report: Data Privacy,” JL We Get Work Podcast (July 2023)
- “The Joys of Managing Employee Risk in the Dental Office,” Jersey Coast Dental Forum (May 2023)
- “The Growing Privacy Mandate: What’s in Store for CCPA-Covered Employers,” JL Corporate Counsel Conference (March 2023)
- “Employers Get Ready! California Consumer Privacy Act – No More Exemptions for Employment-Related Information,” JL Webinar (October 2022)
- “Demystifying Data Protection,” White Plains Workplace Law Conference (October 2022)
- “Demystifying Data Protection,” American Hotel and Lodging Association Conference (May 2022)
- “Ransomware Hits: Now What? And Are you Ready?,” JL Corporate Counsel Conference (March 2022)
- “Personal Data: The Genie You Cannot Get Back In The Bottle,” JL Corporate Counsel Conference (October 2021)
- “Data Protection 101,” JL Webinar (July 2021)
- “Spying, Tampering, Error And Theft: Data Privacy And Security Issues Impacting The Workplace,” Association of Corporate Counsel of New York City Webinar (June 2021)

- “Understanding The Post-Pandemic Data Risks,” JL We Get Work Podcast (June 2021)
- “Workplace Privacy & Data Security: A Little Time And Money Now Can Save You A Lot of Money And Aggravation Later,” JL Third Avenue Breakfast Briefing (May 2019)
- “Data Security Compliance And Breach Prevention And Response,” Association of Innovative Dentistry Conference (April 2019)
- “Making The Best Of A Bad Situation: Breach Response,” NYSBA – Committee On Technology And The Legal Profession Webinar: Session 4 (December 2018)
- “A Little Money Now Can Save You A Lot Of Money And Aggravation Later: Breach Prevention,” NYSBA – Committee On Technology And The Legal Profession Webinar: Session 3 (November 2018)
- “Navigating The Patchwork: Complying With Your Legal Obligations To Safeguard Data,” NYSBA – Committee On Technology And The Legal Profession Webinar: Session 2 (October 2018)
- “Why It’s Critical To Proactively Safeguard Your Organization’s Data,” NYSBA – Committee On Technology And The Legal Profession Webinar: Session 1 (September 2018)
- “Data Security For HR Professionals,” Society for Human Resource Management – New York City (May 2018)
- “Is Your Company Prepared To Comply With The NYS Dep’t Of Financial Services Cyber Regulations? First Compliance Deadline Is August 28,” JL Webinar (August 2017)
- “HIPAA Compliance And Breach Prevention,” American Association of Women Dentists Meeting (May 2017)
- “Cybersecurity Risk Management for Law Firms Webinar Series: Part II,” JL Webinar (April 2017)
- “Cybersecurity Risk Management for Law Firms Webinar Series: Part I,” JL Webinar (April 2017)
- “ERISA Benefit Plans: Addressing & Preventing Data Breaches,” Lorman Education Services Webinar (May 2016)