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The 22nd Annual

Clifford Symposium

on Tort Law and Social Policy

April 28 and 29, 2016



Contacts



Notes



Privacy, Data Theft and Corporate Responsibility



Messages



Mail



Registration

The Clifford Symposium is free and open to the public. Because of space limitations, however, those interested in attending are encouraged to register in advance. Registrants will be given preference with regard to attendance, luncheon and distribution of materials. Walk-ins are welcome, but space is not guaranteed.

Registration must be completed no later than Monday, April 25, 2016. Reservations are accepted by phone at (312) 362-8372 or online at cliffordsymposium2016.eventbrite.com.

DePaul Center, Room 8005
1 East Jackson Boulevard
Chicago, Illinois 60604

DePaul University College of Law is an accredited Illinois MCLE provider. This program has been approved for up to **7 hours of CLE credit**.

THE 22ND ANNUAL CLIFFORD SYMPOSIUM ON TORT LAW AND SOCIAL POLICY

Privacy, Data Theft and Corporate Responsibility

Consumers today entrust more information to corporations than ever before. This information is assiduously collected, collated, analyzed and stored in massive data bases. It often includes the most sensitive financial, health and personal material. Its value for licit and illicit activity is enormous. It can determine the opportunity to secure credit, purchase insurance, obtain medical treatment or find a job. It can also facilitate the emptying of bank accounts and the ruining of businesses.

Despite the critical value of these data, and their potential in the wrong hands to do great harm, corporations have been remarkably inept at protecting consumer information from theft and misuse. In literally hundreds of millions of instances, consumers' private information has been stolen, opening the way for identity theft and other wrongdoing. When faced with consumers' complaints about such problems the vast majority of courts have denied that they have the power or tools to act.

This year's Clifford Symposium will focus on the question of data theft and corporate responsibility.

Symposium Faculty

Jane Bambauer
University of Arizona

Ryan Calo
University of Washington

Danielle Citron
University of Maryland

Julie Cohen
Georgetown University

Mark Geistfeld
New York University

Max Helveston
DePaul University

Michele Goodwin
University of California, Irvine

Margot Kaminski
Ohio State University

Stephan Landsman
DePaul University

Andrea Matwyshyn
Northeastern University

Paul Ohm
Georgetown University

Robert Rabin
Stanford University

Joel Reidenberg
Fordham University

Neil Richards
Washington University

Catherine Sharkey
New York University

Shauhin Talesh
University of California, Irvine

Felix Wu
Yeshiva University



Thursday, April 28, 2016

9:30 REGISTRATION AND
CONTINENTAL BREAKFAST

10:30 OPENING REMARKS
Jennifer Rosato Perea
Dean, DePaul University
College of Law

Stephan Landsman
Director of the Clifford
Symposium, DePaul
University College of Law

10:45 PANEL I: TORT
PERSPECTIVES

Presenters:

Mark Geistfeld
"Strict Tort Liability for
Enabling Data Theft"

Robert Rabin
"Perspectives on Privacy, Data
Security and Tort Law"

Catherine Sharkey
"Can Data Breach Claims
Survive the Economic Loss
Rule?"

Discussant:
Danielle Citron

12:30 LUNCH

2:00 PANEL II: REAL WORLD
CHALLENGES

Presenters:

Jane Bambauer
"Does a Good Privacy Policy
Educate Its Users or Nudge
Them?"

Michele Goodwin
"Hospital Snitches: Debt
Collection and Corporate
Responsibility"

Shauhin Talesh
"Data Breach, Privacy, and
Cyber Liability Insurance:
How Insurance Companies
Act as 'Compliance Managers'
for Business"

Discussant:
Max Helveston

3:45 CONCLUDING REMARKS



Friday, April 29, 2016

8:30 REGISTRATION AND
CONTINENTAL BREAKFAST

9:15 PANEL III: PRIVACY – PART 1

Presenters:

Margot Kaminski
“Standing after Snowden”

Andrea Matwyshyn
“Body Area Networks: Privacy,
Security and the Internet of
Living Things”

Felix Wu
“Privacy, Injury and Standing”

Discussant:
Paul Ohm

11:00 BREAK

11:15 PANEL IV: PRIVACY – PART 2

Presenters:

Ryan Calo
“Privacy’s Affordances”

Julie Cohen
“The Privacy Class Action
as Bellwether of Institutional
Change”

Neil Richards (with Woodrow
Hartzog)
“Trusting Big Data Research”

Discussant:
Joel Reidenberg

1:00 CONCLUDING REMARKS

The Clifford Symposium on Tort Law and Social Policy

In 1994, Robert A. Clifford (JD '76) endowed a faculty chair in tort law and social policy. The chair gives meaningful expression to his belief that the civil justice system serves a number of vital interests in American society. The Clifford Chair at DePaul provides a vehicle for exploration of the civil justice system in an intellectually rigorous fashion. In addition to providing support for faculty research and teaching, the endowment makes possible an annual symposium addressing a timely issue in the civil justice area. The purpose of the symposium is to bring the latest scholarship and advances in legal practice to lawyers and scholars who specialize in tort law, civil justice and related fields. Professor Stephan Landsman is the current organizer and director of the symposium underwritten by the Clifford Chair.

Past Conference Topics

2015

The Supreme Court,
Business and Civil Justice

2014

In Honor of Jack Weinstein

2013

Brave New World:
The Changing Face of
Litigation and Law Firm
Finance

2012

A Celebration of the
Thought of Marc Galanter

2011

Festschrift for Robert
Rabin

2010

The Limits of Predictability
and the Value of
Uncertainty

2009

Rising Stars: A New
Generation of Scholars
Looks at Civil Justice

2008

The Challenge of 2020:
Preparing a Civil Justice
Reform Agenda for the
Coming Decade

2007

Distortions in the Attorney/
Client Relationship:
Threats to Sound Advice?

2006

Is the Rule of Law Waning
in America?

2005

Who Feels Their Pain?
The Challenge of Non-
Economic Damages in
Civil Litigation

2004

Starting Over:
Redesigning the Medical
Malpractice System

2003

After Disaster: The
September 11th
Compensation Fund and
the Future of Civil Justice

2002

Export Import: American
Civil Justice in a Global
Context

2001

Smoke Signals: Civil
Justice in the Wake of the
Tobacco Wars

2000

Civil Litigation and Popular
Culture

1999

Judges as Tort Lawmakers

1998

The American Civil Jury:
Illusion and Reality

1997

Contingent Fee Financing
of Litigation in America

1996

Tort Law and the Science
of the Twenty-First Century

1995

ADR and Torts:
Implications for Practice
and Reform



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