



→ Wynter L. Deagle

Partner

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Wynter Deagle is a partner in the Privacy and Cybersecurity Team in the firm's San Diego (Del Mar) office.

Areas of Practice

Wynter is a trusted advisor in the boardroom and a fierce advocate in the courtroom when businesses face issues found at the intersection of law, technology, and innovation.

Wynter is a first-chair litigator who regularly represents clients in privacy, cybersecurity, false advertising, and unfair business practices class actions (including breach-related litigation), as well as complex commercial litigation matters. Clients depend on her ability to combine thoughtful legal analysis and strategy with an aggressive but practical “big picture” approach to litigation.

A Certified Information Privacy Professional, Wynter's experience includes representing a wide variety of companies, particularly those in the technology, life sciences, financial services, fintech, retail, food services, and consumer products sectors, in individual and class actions brought under the California Consumer Privacy Act (CCPA), Computer Fraud and Abuse Act, Children's Online Privacy Protection Act (COPPA), Illinois Biometric Information Privacy Act (BIPA), Electronic Communications Privacy Act, Fair Debt Collection Practices Act, and various other privacy and cybersecurity-related state and federal laws and regulations. Wynter also defends clients from investigations and enforcement actions brought by federal and state regulators arising out of data breaches and/or data collection, use, sharing, and security practices.

Outside of the courtroom, Wynter draws on her litigation experience to empower clients to make compliance decisions that balance regulatory requirements with business functionality. Wynter's experience includes:

- Designing and implementing global privacy and cybersecurity programs;
- Advising on compliance with state, federal and international privacy and data security laws including CCPA, GLBA, COPPA, BIPA, GDPR and UKGDPR.
- Formulating practical strategies to mitigate the legal, regulatory and operational risks presented by data collection, use, storage and sharing practices;
- Preparing for and responding to data security incidents;
- Creating and delivering employee privacy and cyber awareness training;
- Conducting privacy and cybersecurity compliance due diligence in connection with mergers and acquisitions and other corporate and strategic transactions;

- Advising on the legal and regulatory aspects of developing and commercializing data-driven products and services, including in the areas of the internet of things (IoT), machine learning, digital media, AI, and blockchain;
- Evaluating options to extract value from the data collected, while identifying and addressing regulatory compliance requirements, and ensuring that data is appropriately protected; and
- Assisting clients with making privacy and cybersecurity a competitive advantage and market differentiator.

Wynter is a passionate advocate for diversity, equity, and inclusion in the legal and business communities. She holds a Certified Diversity Professional (CDP) designation from the National Diversity Council and regularly provides advice related to inclusive recruiting and talent management strategies and diverse leadership development programs. She serves as President of the Board of Directors of Girls Inc. of San Diego County. She also serves as pro-bono counsel to SunLaw – an organization dedicated to the promotion and advancement of women in-house attorneys – and Native Son – an organization dedicated to elevating the voices, visibility, and lived experiences of Black gay/queer men.

Honors

- "Client Service All-Star," *BTI Consulting*, 2022
- "Leader in the Law," *San Diego Business Journal*, November 2020
- "California Trailblazer," *The Recorder*, October 2020
- "Top Female Executive Under 40," *Databird Business Journal*, March 2020
- "Business Woman of the Year - Rising Star," *San Diego Business Journal*, September 2019
- "50 Influential Leaders in San Diego," *San Diego Daily Transcript*, September 2019
- "40 Under 40 Hot List," *Benchmark Litigation*, September 2019
- "40 Next Top Business Leaders Under 40," *San Diego Business Journal*, August 2019
- "Top 40 Under 40," *San Diego Daily Transcript*, May 2019
- "Most Influential Women in San Diego County," *San Diego Daily Transcript*, March 2019

Experience

Representative Matters

- Assisted publicly-traded company build and implement global privacy and cybersecurity compliance program.
- Obtained dismissal of a putative nationwide class action against an e-commerce company arising out of a data security incident. Simultaneously resolved a state attorney general investigation into the company's data management and security practices with no adverse action being taken against the company.
- Defeated a class certification motion in a putative class action in California federal court alleging an event management company's website disclosures and data collection practices violated the consumer legal remedies act, false advertising law, and unfair competition law.
- Guided a managed IT services company through responding to a data security incident that resulted in a successful malware infection and ransomware attack against nearly all of its customers. Currently defending the company from third-party claims for indemnification from its customers.

- Defended a registration and event management company in a putative class action in California state and federal courts alleging website disclosures and data collection practices violated the California Consumers Legal Remedies Act and Unfair Competition Law.
- Assisted clients in a number of industries in developing email marketing campaigns, text message campaigns, pre-recorded call campaigns, and online information collection programs in compliance with CAN-SPAM and COPPA, among other laws.
- Obtained terminating sanctions and nearly \$4 million in monetary sanctions on behalf of CrossFit, Inc. in federal court trade libel, deceptive advertising, and unfair competition litigation against its direct competitor, the National Strength and Conditioning Association.
- Represented Shari Redstone in highly contentious litigations in Delaware and Massachusetts concerning the corporate governance of Viacom, Inc., including the proper composition of the Viacom board. The settlement was hailed in the press as a complete victory for Shari Redstone and her father, Sumner Redstone. [The Los Angeles Times, "Viacom Power Struggle Ends With Shari Redstone Ushering in New Era for the Media Company"; The Los Angeles Times, "Viacom Struggle Ends: Shari Redstone at Helm: Daughter of Media Mogul 'Pulled Off the Palace Coup'"; The Wall Street Journal, "Viacom and the Redstones Call it a Day"; The New York Times, "Fight for Viacom Is Said to End With the Redstones in Control."]
- Represented the board of directors of a broker-dealer in an internal investigation that resulted in discovery of multimillion-dollar fraud by senior executives. Secured seven-figure restitution award from perpetrators while ensuring that the client incurred no penalties or sanctions from regulatory authorities.
- Defeated more than 30 motions to dismiss and multiple motions for summary judgment in representation of a Taiwanese creditor in complex civil RICO case against 34 foreign and domestic defendants.

* Includes some matters prior to joining Sheppard Mullin

Articles

- OSHA Emergency Temporary Standard Survival Guide
12.22.2021
- Key Legal Developments in Privacy and Data Security in 2020 and Gazing Ahead to 2021
The Review of Banking & Financial Services, July 2021

Eye On Privacy

- "EU's Initial Response to US Proposed Data Transfers Framework," December 22, 2022
- "How To Handle CPRA Regulations Delay," December 21, 2022
- "California AG Takes Aim At Customer Loyalty Programs," February 23, 2022
- "To Zoom or Not to Zoom—Privacy and Cybersecurity Challenges," *Bloomberg Law*, April 10, 2020
- "Welcome to New York, Its Been Waiting for You ... But Is Your Business Ready for the New York SHIELD Act?," *CPO Magazine*, April 1, 2020
- "Calif. AG's Latest Privacy Law Revisions Miss Some Spots," *Law360*, March 19, 2020
- "CCPA Modified Draft Regulations: Two Steps Forward, One Step Back," *The Recorder*, February 10, 2020

Labor & Employment Law Blog

- "OSHA Emergency Temporary Standard Survival Guide," December 22, 2021

Media Mentions

Quoted, Fake Press Releases, Disinformation – Are Companies Ready?

Agenda, 09.20.2021

Profiled, A Strong Legal Advocate For Clients, Colleagues And Community

Forbes, 12.17.2020

Featured, Full Speed: She's Stopped Street Racing, But Litigator Wynter Deagle Still Loves Winning

Daily Journal, 07.05.2019

Speaking Engagements

- Speaker, How Providers Can Prepare for a Ransomware Attack, HIT Cybersecurity, HIMSS TV, May 20, 2021.
- Moderator, Recent Developments and Best Practices in Data Breach Incident Response, Association of Corporate Counsel – San Diego, April 22, 2021.
- Panelist, "Capabilities of Counsel During a Security Incident," Nisos APT Legal Series, March 3, 2021.
- Panelist, "OMG! We've Been Hacked," Athena, March 2, 2021.
- Panelist, "Five Key Developments in the Privacy and Data Security Sector in 2020 and Five Predictions for 2021," Webinar, January 26, 2021.
- Presenter, "The Nuts and Bolts of CCPA 2.0," Webinar, June 10, 2020.
- Speaker, Protecting the Attorney-Client Privilege in a Digital World, Association of Corporate Counsel – San Diego, March 10, 2020.
- Moderator, "Privacy and Information Security," 2019 Private Funds Forum, September 26, 2019.
- Speaker, "SOC 2 Audits and Cyber Litigation," C-Suite Technology Dinner, February 27, 2019.
- Keynote, "Identifying and Managing Cyber Risks," CFO Roundtable, February 20, 2019.
- Panelist, "Managing Cyber Risk," Entrepreneurs' Organization, February 19, 2019.
- Panelist, "Cyber Risk: Do You Recognize Your Organization's Vulnerability?," Corporate Directors Forum, November 1, 2018.

Events

Privacy Litigation and Enforcement in a CPRA+ World

Webinar, 02.08.2023

Preparing for CPRA Litigation and Enforcement

11.03.2022

Cybersecurity Stories: Lessons Learned from the Cybersecurity Community

Virtual, 08.23.2022

ACG NextGen Cyber Security Panel Event
Virtual, 07.27.2021

Memberships

- Corporate Counsel Women of Color
- San Diego Women's Foundation
- International Association of Privacy Professionals (CIPP/US)
- National Association of Women Lawyers

Podcasts & Webinars

Privacy Litigation and Enforcement in a CPRA+ World
02.08.2023

Practices

Privacy and Cybersecurity
Biometric Information Privacy Act (BIPA)
California Consumer Privacy Act (CCPA)
Litigation
Class Action Defense
Financial Services Litigation
Intellectual Property
False Advertising, Lanham Act and Unfair Competition
White Collar Defense and Corporate Investigations
Technology Transactions
Advertising
Entertainment, Technology and Advertising

Industries

Advertising
Blockchain
Blockchain and Fintech
Entertainment, Technology and Advertising
Financial Services
Fintech

Food and Beverage

Hospitality

Life Sciences

Self-Storage

Wine

Education

J.D., Northeastern University School of Law, 2007

B.A., Roger Williams University, 2004

Admissions

California

Massachusetts

New York