



Jay Edelson

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JAY EDELSON is the Founder and CEO of Edelson PC and host of the Non-Compliant podcast. He is considered one of the nation’s leading plaintiff’s lawyers, with his firm having secured over \$3 billion in settlements and verdicts for his clients. Law360 described Jay as a “Titan of the Plaintiff’s Bar”. Jay has been recognized as one of “America’s top trial lawyers” in the mass action arena. And he has been appointed to represent state and local governments on some of the largest issues of the day — ranging from opioids suits against the pharmaceutical companies to suits against Facebook for the Cambridge Analytica scandal.

Of Counsel explained that Jay has made a career out of “battling bullies”:

“Big banks. Big tech firms. Big Pharma. The big business that is the NCAA. Plaintiff’s attorney Jay Edelson wages battle against many of the nation’s most fortified institutions. Not only does he refuse to back down to anyone, regardless of their stature or deep pockets, he welcomes the challenge.

Edelson earned a monumental victory in the US Supreme Court in what’s been characterized as one of the most important consumer privacy cases of the last several years, *Robins v. Spokeo*. He and his team are leading the charge against the NCAA in representing former college football players who suffered concussions, and their families. And, on behalf of labor unions and governmental bodies, he’s elbow-deep in litigation against pharmaceutical companies and distributors for their pivotal role in the opioid crisis.

Simply put, he’s a transformational lawyer.”

Commentators have similarly singled out Jay’s willingness to tackle problems other lawyers shy away from and his creativity in finding winning strategies that were not readily apparent. He successfully litigated cases of first impression against the national banks in the wake of the housing collapse, leading to the reinstatement of over \$3 billion in home credit lines. Through his privacy cases, he has “fostered a reputation for his uncanny ability to come up with creative standing and damages arguments” leading to “momentum-shifting rulings in challenges to the data security and information-gathering practices of companies.”

Education

University of Michigan Law School

J.D. (1996)

Brandeis University

B.A. (1994)

Bar and Court Admissions

U.S. Supreme Court (2015)

U.S. District Court for the District of Colorado (2012)

U.S. District Court for the Eastern District of Michigan (2012)

U.S. Court of Appeals for the Seventh Circuit (1997)

U.S. District Court for the Northern District of Illinois (1997)

Supreme Court of Illinois (1997)

Teaching

University of California Berkley Law School, Guest Lecturer, Privacy Law (2017)

University of California at Hastings, Guest Lecturer, Privacy Law (2016)

The Sedona Conference Cooperation Training Program (2014)

The American Bar Association recognized Jay as one of the “most creative minds in the legal industry.” Law360 noted that he has “taken on some of the biggest companies and law firms in the world and has had success where others have not.” Yet another put it more even more simply, explaining “when it comes to legal strategy and execution, Jay is simply one of the best in the country.”

Jay has received special recognition for his success in taking on Silicon Valley. The national press has dubbed Jay and his firm the “most feared” litigators in Silicon Valley and, according to the New York Times, tech’s “babyfaced ... boogeyman.” Chicago Lawyer Magazine dubbed Jay “Public Enemy No. 1 in Silicon Valley.” Fortune Magazine has also singled out Jay’s work in the privacy space. In the emerging area of privacy law, the international press has called Jay one of the world’s “profilertesten (most prominent)” privacy class action attorneys. The National Law Journal has similarly recognized Jay as a “Cybersecurity Trailblazer” — one of only two plaintiff’s attorneys to win this recognition.

Jay is a frequent speaker and writer on class, mass, and governmental action issues, the practice of law more generally, and training and law firm management. In recognition of the fact that his firm runs like a start-up that “just happens to be a law firm,” Jay was recently named to “Chicago’s Top Ten Startup Founders over 40” by Tech.co and was recognized by The Unicorn in the Room’s “The 45 Over 45: Entrepreneurs Over Age 45 Who Are Disrupting the Way We Do Business.”

Jay has taught class actions and negotiations at Chicago-Kent College of Law and privacy litigation at UC Berkeley School of Law. He has written a blog for Thomson Reuters, called Pardon the Disruption, where he focused on ideas necessary to reform and reinvent the legal industry and has contributed opinion pieces to TechCrunch, Quartz, the Chicago Tribune, Law360, and others. He also served on Law360’s Privacy & Consumer Protection editorial advisory board.

Representative General Class, Mass, and Government Cases

- Co-lead counsel in *National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation – Single Sport/Single School* (Football) multi-district litigation, bringing personal injury lawsuits against the NCAA, conferences, and its member institutions over concussion-related injuries. This case is considered to be “one of the largest actions pending in the country, a multi district litigation ... that currently included about 100 personal injury class actions filed by college football players[.]”
- Representing a broad range of stakeholders in litigation against the opioid companies, including state and city governments, municipal risk pools, unions, and injured individuals.
- Representing numerous individuals and families in wrongful death cases arising from Boeing 737 Max crashes in Indonesia and Ethiopia.
- Lead counsel in *Mullen v. Sports Performance* where he won class certification in a first of its kind class action alleging that a prominent youth club volleyball program committed fraud by concealing the owner and head coach’s history of sexually abusing teenage girls in his care. This case has been described as “a ‘blueprint’ for sex abuse cases against caregivers.”
- Lead counsel in several class actions against the major banks for suspending home credit lines in the wake of

Teaching Cont.

Chicago-Kent College of Law,
Adjunct Professor, Class Actions
(2010-12)

Northwestern Law School, Guest
Lecturer, Class Actions (2007)

John Marshall Law School, Guest
Lecturer, Class Actions (2007)

the financial crash. Settlements collectively restored billions of dollars in credit lines.

- Lead counsel in *Wigod v. Wells Fargo*, which was the first case in the country to allow consumers standing to sue over claims over the failure to honor home loan modification agreements. After the Court of Appeals noted that “prompt resolution” of the case was necessary “for the good of the country,” the case settled, resulting in loan forgiveness and substantial cash payments.
- Lead counsel in \$30 million class action settlement involving lead-infused Thomas the Tank Engine children’s toys.
- Part of a U.S. and Canadian class action mediation team that obtained a \$24 million settlement involving the 2008 contaminated pet food recalls.
- Part of a team successfully representing personal injury claimants suffering from effects of second hand smoke while working at a riverboat casino.
- Part of team representing public housing residents in environmental class action brought against the city. Suit settled for over \$10 million.
- Obtained an injunction preventing an insurance company from canceling the health insurance of thousands of self-employed individuals, later reaching settlement guaranteeing them insurance for the future.

Representative Privacy and Technology Cases

- Recognized as one of the “pioneers” of privacy class action litigation, having successfully litigated cases involving claims of privacy breaches or intrusive behavior against companies such as Netflix, Amazon, Facebook, Microsoft, Bauer Publishing and Sears and reaching settlements collectively totaling over \$300 million.
- Co-lead counsel in *In re Facebook Biometric Information Privacy Litigation*, claiming Facebook violated Illinois state biometric law in collecting face templates. Court certified an over 6 million person class in this multi-billion dollar suit.
- Appointed Special Assistant Corporation Counsel for the City of Chicago and Special Assistant by the Cook County State’s Attorney in their consolidated data breach/failure to notify lawsuit against Uber Technologies.
- Appointed Special Assistant by the Cook County State’s Attorney in a suit against Facebook and Cambridge Analytica over their alleged misuse of consumer data.
- Lead counsel in *Robins v. Spokeo*, where the United States Supreme Court held that “intangible” harms can satisfy Article 3 standing requirements.
- After winning a seminal decision in the 11th Circuit, delivered the first three data breach class action settlements that provided class members cash without any showing of identify theft or other post breach injury.
- Lead counsel in over a half-dozen nationwide class action settlements collectively worth hundreds of millions of dollars involving claims of unauthorized charges on cellular telephones.
- Lead counsel in *Birchmeier v. Caribbean Cruise Line, Inc.*, resulting in a \$76 million settlement — the largest ever cash privacy settlement to date.

- Nicknamed the “Spam Slammer” by the Chicago Sun-Times after developing the law to prevent unsolicited text messages being sent to cellular telephones. Total “text spam” settlements exceed \$130 million.
- Representing putative classes in over a dozen biometric privacy cases.

Representative Commercial Litigation Matters

- Brought in as lead negotiator in dispute on behalf of a tech company against a VC firm alleging fraud and violations of the Securities & Exchange Act. Case resolved successfully pre-suit.
- Represented tech company in legal malpractice dispute, resulting in multi-million dollar settlement — well in excess of the “hard” damages suffered.
- Represented start-up in legal malpractice dispute, resulting in multi-million dollar settlement.
- Advised company that faced a class action in related malpractice claims it had against its law firm, leading to a significant decrease in fees owed.
- Brought in to negotiate potential class action against a nationwide nutritional food company. Case resolved prior to suit being filed for a fraction of even the nuisance value of the case.

Representative Corporate Consulting

- Advised start-up on host of legal issues, including reformulating their business plan to ensure compliance with myriad state regulatory schemes. Company later became recognized as one of the fastest growing businesses in Chicago.
- Consulted with successful mid-west technology company, also recognized as one of the fastest growing in the area.
- Consulted with med-tech start up, including help with product launch, negotiation of licensing agreement, and general strategic issues.
- Consultant on several tech start-ups, providing legal and strategic advice.

Representative Mediations

- Lead negotiator in successful resolution of \$550 million class action lawsuit against Facebook.
- Lead negotiator in over 100 mediations collectively involving multi-billions of dollars at issue. The mediations included consumer and employment class actions, individual, multi-party, mass and class personal injury lawsuits, and individual cases ranging from business to business disputes to employment claims to civil rights matters.
- Served as a private mediator in successful resolution of 8-figure class action lawsuit.
- Served as an informal mediator in several class action disputes involving fee issues and objections.

Awards and Honors

- Named a “Titan of the Plaintiffs Bar” by Law360, 2014.

- Selected as an Illinois Super Lawyer in the areas of Class and Mass Actions, 2012-2020.
- Recognized as one of “Crain’s 2019 Notable Gen X Leaders in Law” by Crain’s Chicago Business, 2019 and 2020.
- Selected as a “Leading Lawyer” in the areas of plaintiff’s class and mass actions, data privacy, consumer protection, and technology law, 2016-2019.
- Recognized as one of “America’s (Mass Tort) Top Trial Lawyers.”
- Recognized as a “Cybersecurity Trailblazer” by the National Law Journal, 2016.
- Won the first ever “President’s Award” given by the Illinois Bar Foundation, 2016.
- Finalist for the 2016 World Technology Awards in the law category.
- Named one of “Chicago’s Top Ten Startup Founders over 40” by Tech.co, 2016.
- Named to The Unicorn in the Room’s “The 45 Over 45: Entrepreneurs Over Age 45 Who Are Disrupting the Way We Do Business.”
- Benchmark Litigation: Top Illinois Plaintiff class action lawyer, 2013, 2014.
- Named to Top 100 Trial Lawyers, by the National Trial Lawyers, 2013.
- Twice received official commendation from the City of Lancaster, California for “exemplif[ing] the skill of a true litigator;” first for reaching a \$47 million settlement with Jiffy Lube and, second, for reaching a \$9 million settlement with Netflix.
- Named one of the top 40 Illinois attorneys under 40 by the *Chicago Daily Law Bulletin* in 2009. In that award, Jay was heralded for his history of bringing and winning landmark cases and for his “reputation for integrity” in the “rough and tumble class action arena.” In the same award, he was called “one of the best in the country” when it “comes to legal strategy and execution.”
- Included in the American Bar Association “24 hours of Legal Rebels” program, where he was dubbed one of “the most creative minds in the legal profession” for his views of associate training and firm management.
- Presented with the Annual Humanitarian Award for his “personal integrity, professional achievements, and charitable contributions” by the Hope Presbyterian Church.
- Named a “Legal Lion” for the week for winning class certification in case against a prominent club volleyball program, alleging that the club committed fraud by concealing its history of sexually abusing teenage girls in its care.

Media

- Appeared on dozens of local, national, and international television and radio programs, including The Today Show, ABC World News, Politics Nation, Your World With Neil Cavuto, Big Story with John Gibson, CNN, CBS Radio and NPR.
- Numerous regional, national, and international profiles, including cover story on New Times’ Sunday Business

section, wherein the Times dubbed him tech's "babyfaced" "boogeyman", a profile in Fortune, and a profile in Die Ziet where he was called "der gäger im hoodie (the hunter in the hoodie)".

- Included in Angeion Group's "Leading Litigator" Series, where, Jay provided expansive thoughts on his views of class action practice and law firm management.
- Featured in a PIVOT TV documentary show entitled "Data Vampires."
- Included in PetFooled, a documentary detailing our class action suit on behalf of pet owners whose pets died as a result of contaminated pet food.
- Nicknamed the "Spam Slammer" in a Chicago Sun-Times front-page cover article after reaching the first ever class action settlement for text message spam.

Public Speaking

- Host of the Non-Compliant Podcast.
- Panelist for TechNation: Chicago, "The Biometric Information Privacy Act (BIPA): The Recent Explosion of Lawsuits in Illinois and How Businesses Can Reduce Legal Risk" (Aug. 15, 2019).
- Guest Host on IAPP's The Privacy Advisor Podcast, "100th episode special edition" (June 7, 2019).
- Guest on ATL's Thinking Like a Lawyer Podcast, "Checking In On The Plaintiffs' Side – A Conversation With Jay Edelson" (May 23, 2019).
- Panelist for PLI's 24th Annual Consumer Financial Services Institute, "Data Security and Privacy Issues" (May 20, 2019).
- Guest on IAPP's The Privacy Advisor Podcast Live, "Class-Action, State Action and Litigation Trends" (May 3, 2019).
- Guest on IAPP's The Privacy Advisor Podcast, "Jay Edelson on his \$925M privacy class-action win" (Apr. 15, 2019).
- Guest on TCPAWorld Podcast, "Jay Edelson, Ringless Voicemails, Traced, and So Much More" (Mar. 29, 2019).
- Panelist for the Federal Trade Commission Hearing, "Current Approaches to Privacy" (Mar. 20, 2019).
- Panelist for the Chicago Bar Association's Class Litigation Committee, "The Future of Cy Pres: After the Supreme Court: Perspectives from Academia, the Bar, and the Bench" (Nov. 15, 2018).
- Panelist for the ABA's 22nd National Institute on Class Actions, "'Never a Day Off' Understanding and Managing Economic Risks for Lawyers on Both Sides of the v." (Oct. 19, 2018).
- Panelist for ACI'S 30th National Forum on Consumer Finance Class Actions and Government Enforcement, "The Fair Credit Reporting ACT (FCRA) and A Matter of Standing: Demonstrating the Degree of Harm Required to Certify a Class" (July 17, 2018).
- Guest on Womble Bond Dickinson Ramble Podcast, "One Way Intervention, Marks vs. Crunch, and the

Boogeyman” (July 5, 2018).

- Panelist for the IAPP Privacy Bar Section Forum, “The State of U.S. Data Privacy and Cybersecurity Litigation Today” (March 29, 2018).
- Panelist for City Club of Chicago’s “The Opioids Epidemic,” (Dec. 6, 2017).
- Panelist for Retail Industry Leaders Association’s Litigation Conference, “Strategies Concerning TCPA Claims” (Oct. 11, 2017).
- Panelist for HarrisMartin’s Smart Device Litigation Conference: Issues Arising from the Internet of Things, “IoT Risks – Theories of Liability and Defenses” (June 28, 2017).
- Panelist for ABA’s Second Annual Cybersecurity Institute Conference, “Ethics: The Cybersecure Practice of Law; Application of Privilege in the Data Security Context” (June 22, 2017).
- Guest on the IAPP’s The Privacy Advisor Podcast “50th episode edition!” (June 16, 2017).
- Panelist for Class Action Money & Ethics Conference 2017, “Implications of the Proposed Changes to Rule 23” (May 1, 2017).
- Panelist for ACI’s 15th National Forum on Cyber & Data Risk Insurance “The Changing Landscape of Cyber Liability Litigation: Data Misuse, Ransomware, Class Action Following Spokeo, and More” (March 30, 2017).
- Testified at Illinois House of Representatives’ Cybersecurity, Data Analytics & IT Committee Subject Matter Hearing on “Privacy implications and transparency issues associated with new and emerging surveillance and data collection technologies” (March 1, 2017).
- Panelist for PLI’s “Advanced Data Privacy, Cybersecurity Breach and TCPA Class Action Litigation Strategies and Defenses 2017” Conference, “Standing After Spokeo: Effects on Privacy, Security Breach and TCPA Litigation” (Jan. 20, 2017).
- Panelist for Golden State Institute’s Panel “Assessing Damages in Privacy Cases and Settlements,” (Nov. 3, 2016).
- Guest on the IAPP’s The Privacy Advisor Podcast “Jay Edelson on Spokeo, volleyball and philosophy” (Oct. 28, 2016).
- Panelist for IAPP’s “Privacy. Security. Risk. 2016” Conference, “Privacy Litigation: Defining Privacy Harm,” (Sept. 16, 2016).
- Panelist for Georgetown Law’s 4th Annual Cybersecurity Law Institute, “Litigation Trends in Data Breaches,” (May 25, 2016).
- Panelist for Today’s General Counsel, “The Exchange” Data Privacy and Cybersecurity Forum, “The Presumption of Litigation,” (May 11, 2016).
- Panelist for The International Association of Defense Counsel’s Corporate Counsel College, “What is the Other Side Thinking,” (April 28, 2016).
- Panelist for the Privacy Bar Section of the IAPP, “Privacy Litigation,” (April 7, 2016).

- Panelist for PLI's Defending Data Privacy, Security Breach and TCPA Class Action Suits 2016, "Advanced Issues in Class Certification and the Management of Class Action Litigation," (January 22, 2016).
- Guest Speaker for University of Chicago Jewish Law Student's Association's dinner, "The Most Feared Lawyer in Silicon Valley" (January 15, 2016).
- Panelist for National Conference of Jewish Lawyers, "Privacy in the Google and Facebook Era" (August 26, 2015).
- Participant in MER's National Conference on Managing Electronic Records, "How to Win (or Lose) Your Data Breach Class Action" (representing data breach class in mock argument before the Honorable James F. Holderman (N.D.Ill.)), (May 20, 2015).
- Guest Speaker for Shook Hardy & Bacon's "Conversations in Privacy" Teleconference, (May 19, 2015).
- Panelist for Chicago Bar Association's Panel, "Challenges to Class Membership: Ascertainability, Standing, and Injury," (May 14, 2015).
- Panelist for Perrin's Class Action Litigation Conference, "Privacy and Data Breach Issues," (May 6, 2015).
- Panelist for the Mortgage Broker Association's Legal Issues and Regulatory Compliance Conference, "Class Action Roundtable," (May 5, 2015).
- Panelist for PLI's Defending Data Privacy, Behavioral Advertising and Security Breach Class Actions Suits 2015, "Class Certification and Settlement in Data Privacy, Behavioral Advertising and Security Breach Class Actions" (January 23, 2015).
- Panelist for Northwestern Law School Sports Seminar, "NCAA Concussion Litigation Panel" (October 24, 2014).
- Panelist for ABA Business Law Section Annual Meeting, "Virtual & Digital Currencies – the Path to Legitimacy and the Need (or Not) for a Regulatory Framework for Consumer Protection" (September 12, 2014).
- Panelist for National Association of Attorneys General 2014 Spring Consumer Protection Seminar, "Data Breach and Privacy Panel" (May 19, 2014).
- Panelist for Perrin Webinar, "Sports Concussion Litigation- Latest NCAA and High School Research, Developments and Findings" (May 14, 2014).
- Panelist for Law Seminar International's Conference on Technology Law, "Plaintiff's Perspective on the Use of Big Data Class Actions as a Privacy and Security Enforcement Tool" (Dec. 12, 2013).
- Panelist for Law Seminar International's Conference on Litigating Class Actions, "Evolving Issues in Privacy Class Actions" (Dec. 10, 2013).
- Panelist for Pennsylvania Bar Institute seminar, "The FCC Cracks Down on Telemarketing Again. The Regulatory and Litigation Climate of the Telephone Consumer Protection Act" (Dec. 10, 2013).
- Panelist for the NCLC Class Action Symposium, "Data Privacy Class Action Session" (Nov. 10, 2013).
- Panelist for The Sedona Conference on Cyber Liability (participated in three panels: "Private Data Breach

Incidents,” “Telecommunications & The Internet,” and “Pushing the Boundaries of Cyber Liability”) (Oct. 24-25, 2013).

- Panelist for NetDiligence 2013 Cyber Risk & Privacy Liability Forum – West Coast: “Data Breach Litigation Update.” (Oct. 10, 2013).
- Panelist for ABA Dispute Resolution Conference: “Getting Arbitration Back on Track.” (April 5, 2013). Panelist for PLI’s conference: “Defending Privacy and Behavioral Advertising Class Action Suits 2013: What Every Litigator and In-House Lawyer Needs to Know.” (January 22, 2013).
- Panelist discussing privacy class actions during for American Bar Association’s 16th Annual National Institute on Class Actions (October 25, 2012).
- Panelist for ITT Chicago-Kent College of Law’s “Conference on Internet Privacy, Social Networks and Data Aggregation” (March 23, 2012).
- Panelist for Chicago-Kent College of Law’s “Class Dismissed? How the Supreme Court’s Recent Decisions Have Shifted the Balance Between Individuals and Corporations” (November 2, 2011).
- Panelist for Daily Deal Media Conference 2011, Roundtable on Legal Landscape of the Daily Deal Industry (September 8, 2011).
- Panelist for Chicago Bar Association’s Committee on Cyber Law and Data Privacy, Seminar on Consumer Privacy (June 10, 2011).
- Co-chair of CLE International’s 2011 national multi-day conference on consumer class actions (May 12-13, 2011).
- Co-chair of CLE International’s 2010 national multi-day conferences on consumer class actions (June 14-15, 2010).
- Panelist for Law Seminar International’s “Trends in Federal Circuit Class Certification Rulings” (Nov. 4, 2010).
- Panelist at Decalogue Society of Lawyers’ Symposium on “Representing Celebrity Clients” (Jan. 28, 2010).
- Panelist at DePaul University College of Law & The International Institute for Animal Law’s symposium, “How Much is Fido/Fluffy Worth? Animal Valuation Issues Raised by the Pet Food Recall and Other Litigation” (Oct. 25, 2007).

Public Speaking

- “Uber’s CEO was brought down by a God complex—and that should scare the rest of Silicon Valley,” Quartz, June 23, 2017.
- “Learning The Limits (And Irony) Of Spokeo,” Law360, Dec. 12, 2016 (second author).
- “Trump’s wall misses the mark: We need a cyber wall, not a physical one,” TechCrunch, May 27, 2016.
- “Peter Thiel proves Silicon Valley only hates lawsuits when it’s the one getting sued,” Quartz, May 27, 2016.

- “Theranos exposes the perverse incentives at work in Silicon Valley,” Quartz, April 29, 2016.
- “The FBI has a Big Ulterior Motive in its Fight with Apple,” Quartz, Mar. 18, 2016.
- “Why Apple is Right to Tangle with the FBI,” Chicago Tribune, Feb. 24, 2016.
- “Pick-Offs After Campbell-Ewald: Some Predictions,” Law360, Jan. 21, 2016.
- “What’s Past is Prologue: Snowden Leaks, New Domains, Global Jockeying For Internet Governance Role Still Dominate Cyberlaw Hot Topics in 2014,” Bloomberg/BNA Electronic Commerce & Law Report, Feb. 3, 2014 (contributor).
- “Pardon the Disruption,” Thomson Reuters Legal Blog, 2013-2104.
- “The ATL Interrogatories: 10 Questions with Jay Edelson from Edelson PC,” Above the Law, Oct. 16, 2013.
- “Beyond the Ping Pong Table: Lessons for Lawyers From Startup Companies,” National Law Journal, Sept. 30, 2013.
- “End the Summer Associate Sideshow (and Start Treating Them Like the Almost-Lawyers They Are),” Bloomberg Law, Aug. 21, 2013.
- “Cyberlaw Predictions: Privacy Litigation in the United States,” Bloomberg/BNA, Jan. 2, 2013 (contributor).
- Preventing Your Daily Deals From Becoming Permanent Targets, Daily Deal Media, 2012 Daily Deal Industry Report.
- “9 Mistakes Companies Make In Defending Themselves Against Consumer Class Action Lawsuits,” Law360 (Jan. 2011).