Brian G. Cesaratto

Member of the Firm

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BRIAN G. CESARATTO is a Member of the Firm in the Litigation and Employment, Labor & Workforce Management practices, in the New York office of Epstein Becker Green. His practice focuses on cybersecurity and data privacy, computer and electronic data misappropriation, breach and forensics, technology and software licensing, internal and law enforcement investigations, and litigation.

Mr. Cesaratto is a Certified Information Systems Security Professional (CISSP). He was awarded this information technology security audit certification by the International Information Systems Security Certification Consortium (see www.isc2.org). He is a Certified Ethical Hacker (CEH), a certification awarded by EC-Council, the world's largest cyber security technical certification body. He is also a Certified CSF Practitioner, a designation given by the Health Information Trust Alliance (HITRUST), an organization that provides training to develop and maintain effective security programs for health care, life sciences, and other companies that comply with security laws, regulations, and standards, including HITECH, HIPAA, PCI, JCAHO, CMS, ISO, NIST, GDPR, and various other federal, state, and business requirements (including New York State Department of Financial Services cybersecurity regulations).

In his practice, Mr. Cesaratto has:

- Provided legal advice on preventing cybersecurity and data privacy issues
- Conducted cybersecurity and data privacy risk assessments
- Assisted clients with developing and implementing information security management programs, including insider threat programs and security incident response plans
- Investigated cybersecurity incidents and data breaches
- Assisted clients with the complexity of issues involving the handling of electronically stored information (ESI) on their networks and e-discovery obligations and litigated those issues
- Advised clients in the negotiation of software licensing, cybersecurity, and technology related agreements, including SaaS, Service Level Agreements (SLAs), and third-party vendor agreements

- Conducted internal investigations into misappropriation and breach of proprietary information and financial misconduct
- Provided legal advice to organizations concerning electronic data misappropriation and computer forensics, including use of forensic software in workplace investigations
- Represented targets of internal, regulatory, and criminal investigations and prosecutions
- Provided legal advice on a wide range of technology, commercial, compliance, unfair competition, and personnel issues
- Litigated all aspects of commercial and employment related lawsuits up to and through trial, including business disputes, employment discrimination and whistleblowing, theft of trade secrets, and breach of restrictive covenants

Mr. Cesaratto draws on a diverse legal background that includes private practice with national law firms, lengthy solo practice, and serving as an Assistant District Attorney in Bronx County, New York, where he directed investigations into financial fraud, identity theft, theft of intellectual property, credit card fraud, and consumer fraud. In addition to his CISSP and CEH certifications, he has completed extensive training courses in computer forensics software, including recovery of deleted electronic documents and indicia of unauthorized data transfer.

Education

- Columbia University School of Law (J.D.)
    - *Harlan Fiske Stone Scholar (2 years)*
- St. Lawrence University (B.A.)
    - *cum laude*, Phi Beta Kappa

Court Admissions

- Supreme Court of the United States
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York

Bar Admissions

- New Jersey
- New York

Practice Areas

- Business Litigation
- Data Breach/Cybersecurity Litigation
- Employment Litigation
- Government Investigations/Civil & Criminal
- Trade Secrets & Employee Mobility
- Privacy, Cybersecurity, and Data Asset Management
- White Collar Criminal Defense and Internal Investigations

Industries

- Artificial Intelligence
- Financial Services
- Health Care and Life Sciences Industry
- Technology, Media & Telecommunications