

## VLP Partner Melissa Krasnow Quoted in Law360 Article “Equifax's Massive Data Breach To Spur Uncharted Legal Woes”

VLP Partner Melissa Krasnow was quoted in the *Law360* article “Equifax's Massive Data Breach To Spur Uncharted Legal Woes.”

The article reported on the announcement by Equifax disclosing a cyberattack that potentially impacted 143 million consumers' personal data. The article noted that the unprecedented scope of the breach is likely to offer both advantages and drawbacks to consumers as they fight to prove that they were harmed and that controversial arbitration clauses shouldn't apply.

According to the article, one of the issues that is likely to come up during court proceedings that have yet to be filed is what legal footing Equifax has to include a class action waiver in the terms that consumers agree to when they sign up for its free credit monitoring and identity theft protection service, thereby requiring participants to submit to arbitration.

"Right now, Equifax is getting terrible publicity in the court of public opinion for these terms," Ms. Krasnow told *Law360*. "The issue is likely to be brought to the court, and it will be interesting to see how the court deals with the fairness aspect of it in terms of how Equifax is implementing this credit monitoring offering and whether people are really agreeing to the terms and whether they are enforceable."

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