

MVP: Covington's Emily Henn

By Adam Lidgett

Law360 (November 18, 2025, 4:00 PM EST) -- Emily Henn of Covington & Burling LLP spent the past year helping clients like Papa John's, Bloomingdale's and Delta Air Lines notch wins in privacy lawsuits against them over personal data, including at the Third, Eighth and Ninth circuits, earning her a spot among the 2025 Law360 Technology MVPs.

Her biggest cases of the year:

Henn told Law360 she has been handling "a series of cases that culminated a lot of work we've been doing to confront a death-by-thousand-cuts litigation strategy by plaintiffs' firms who are challenging some of the new innovations in website analytics."

Those cases include litigation against her clients Papa John's and Bloomingdale's, in which her team has seen various wins. In September, the Third Circuit affirmed the dismissal of a case against the pizza chain after holding it didn't have a strong enough connection to Pennsylvania, where the case was filed, to remain in the suit.

The Eighth Circuit in December 2024 also let Bloomingdale's and Papa John's dodge separate cases brought under a state wiretap law, and in June, the Ninth Circuit refused to reinstate a customer's proposed class action accusing Papa John's of recording website visitors' activities in violation of the California Invasion of Privacy Act.

Henn said those rulings have recognized where there are true privacy interests at play. When it comes to privacy, she said, having the ability to understand how consumers navigate a company website isn't any different from keeping track of how they browse in a physical store.

"The cases have grappled with new technology and how to apply existing privacy laws to those new technologies," she said.

And in October 2024, Henn helped Delta win dismissal of a proposed class action alleging it unlawfully shared customers' sensitive personal data with Meta's Facebook through online tracking tools embedded in its website.



Henn said the claims in that case "were going to the heart of how airlines provide airline services and how they sell tickets to flights through the website and through online sales."

Her proudest moment of the past year:

Henn said her proudest moments come from continuing to see Covington teams work for technology clients on important litigation issues and seeing more junior attorneys grow into senior roles.

She said it has been heartening to see the firm's teams that have grown to address new challenges and produce new leaders in the technology field.

"Covington has a very well-established technology litigation practice," she said. "We represent almost all the big technology companies who are confronting lots of different kinds of challenges over the past year."

On why she's a technology attorney:

When Henn moved to California years ago, she was already a partner but was not as technology-focused as she is now.

Over time, the firm's clients have appreciated her ability to learn the businesses and technologies and partner with them to figure out how to make practical judgments to help them bring new products to consumers while also managing risk and protecting customers, she said.

"Moving to California put my practice really at the world center of technology innovation," she said. "The opportunity to work with really the smartest business minds that are doing innovative things has been a real opportunity."

On what motivates her:

Henn said new challenges always motivate her, as well as "the chance to work with people from whom [she] can learn." That includes technology specialists, in-house attorneys and people on her own teams, she said.

She said her practice in particular is motivating because things are always changing, from products to laws themselves, to interpretations on how to regulate them.

"I always advise people to look for challenges and say 'yes' even when you're not sure you know how to accomplish a task," she said.

Other notable cases she has worked on:

Henn represented financial data aggregator Yodlee in a case accusing it of unlawfully collecting user data, and, in January, a California federal judge granted the company summary judgment on certain claims, including for alleged violations of California's anti-phishing laws and unjust enrichment.

That case, which Henn described as "a very long and very hard-fought matter," was later voluntarily dismissed.

"What was really gratifying about that case was that it went all the way through discovery, and we were able to defeat the plaintiffs' class certification motion," she said.

After getting the win in January, she and her team were able to fight off attempts to undo that ruling, she said.

Henn said that, unlike some victories where everything happens all in one day, this case involved hard work at multiple stages to satisfy the judge.

"It allowed Yodlee to move on from a pretty big and important significant case," Henn said.

--As told to Adam Lidgett. Editing by Emma Brauer.

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