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## Cybersecurity & Privacy Group Of The Year: Covington

By Sarah Martinson

*Law360 (February 4, 2026, 4:03 PM EST)* -- Covington & Burling LLP helped Papa John's and Bloomingdale's win circuit court appeals in privacy class actions, helped Delta Air Lines defeat a class action over the sharing of consumer data, and assisted Lowe's and Novartis AG with billion-dollar deals — earning a spot among the 2025 Law360 Cybersecurity & Privacy Groups of the Year.

Covington's cybersecurity and privacy practice group has more than 85 attorneys based in Washington, D.C., New York City, California, Boston, London, Brussels, Frankfurt, Dubai, Johannesburg and Beijing.

Lindsey Tonsager, co-chair of the group, told Law360 that it has been "significant" for Covington since she joined the firm in 2007 and that the group has made some strategic hires in the past year.

The group added Michael Granston, a former deputy assistant attorney general at the U.S. Department of Justice, in September; Claudia Berg, former general counsel of the UK Information Commissioner's Office, in January 2025; and Nils Wahl, a former judge at the Court of Justice of the European Union, in March.

"We want to not only be known for privacy litigation or transactions that deal with personal data, but we want to be the go-to firm on regulatory investigations, public policy as it relates to privacy, and cyber and product counseling in the most cutting-edge industries," Tonsager said.

Among the cybersecurity and privacy practice's major victories in 2025 was winning appeals for Papa John's and Bloomingdale's in the Eighth and Ninth circuits in four class actions.

In 2022 and 2023, consumers hit Papa John's and Bloomingdale's with proposed class actions accusing the companies of deploying software on websites that collects user data in violation of state privacy and wiretapping laws. These cases were *Thomas v. Papa John's International* and *Daghaly v. Bloomingdale's* in California and *Jones v. Bloomingdale's* and *Jones v. Papa John's* in Missouri.

Missouri and California federal district courts dismissed these suits for lack of personal jurisdiction and subject-matter jurisdiction and failure to state a claim. And in December 2024 and June, the Eighth and Ninth circuits affirmed the district courts' dismissals.



Kate Cahoy, co-chair of the firm's class action litigation practice, said the decisions created precedent on important issues, like personal jurisdiction, that come up in many types of cases, making them significant.

"These rulings have broader ramifications because they set clear limits on the still-ongoing wave of wiretapping class actions targeting the use of commonplace website-analytics and marketing tools," Cahoy said. "The appellate wins for Papa John's and Bloomingdale's reaffirm that plaintiffs must satisfy traditional jurisdictional, standing, and pleading requirements before these suits can proceed."

Another significant victory for the cybersecurity and privacy practice was winning the dismissal of a proposed class action against Delta in California federal court.

In April 2024, Delta was hit with the suit in California state court accusing the airline of sharing customers' personal data with Meta's Facebook using tracking tools on Delta's website in violation of its carriage contract and state privacy law. The case was moved to federal court.

Delta asked a California federal court to toss the case, arguing that its carriage contract is governed by Georgia law and clearly discloses its digital advertising practices.

In October 2024, a California federal judge dismissed the suit, finding that the Airline Deregulation Act preempted the state law privacy claims.

"The Delta win — the first to hold that the Airline Deregulation Act preempts claims attacking airlines' use of these tools — provides protection for airlines hit with wiretapping suits in the future," Cahoy said.

In 2025, the practice also advised on data privacy matters for IGI Therapeutics' \$2 billion global licensing agreement with AbbVie, Novartis AG's \$1.7 billion merger with Regulus Therapeutics Inc. and Lowe's \$1.3 billion acquisition of Artisan Design Group.

Ashden Fein, vice chair of the firm's cybersecurity practice, said the practice also helped clients resolve data breach suits before they proceeded to litigation.

"We've been able to build a very large bench of experts that are regularly advising clients on the full spectrum of cybersecurity risk," he said.

--Editing by Amy French.