



## Sherrese M Smith

Partner, Corporate Department

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**Sherrese Smith** is a partner in the Media, Technology and Telecommunications practice and is Vice-Chair of the firm's Data Privacy and Cybersecurity practice. She is based in the firm's Washington, D.C. office. She is a highly regarded and *Chambers*-ranked attorney who regularly counsels companies on complex transactional and regulatory issues involving communications and media regulatory, technology, and industry issues. She also advises and counsels multinational companies across various jurisdictions (including the US, EU and Asia) on data privacy and cybersecurity and breach response issues, including managing global privacy and information security risks and compliance matters and regularly navigates clients through data breach and crisis response and associated regulatory investigations and enforcement proceedings.

Prior to joining Paul Hastings, Ms. Smith served as Chief Counsel to Chairman Julius Genachowski at the Federal Communications Commission where she was responsible for determining the agency's business and policy agenda on a multitude of media and technology matters, including broadcast, cable and broadband and internet matters, as well as wireless and telecommunications issues involving spectrum use. Ms. Smith was also responsible for leading the FCC's cross-agency efforts to refine and implement new rules on data privacy and cybersecurity for multinational companies navigating complex data and privacy rules in the US, EU and Asia. Her work also involved extensive interaction with external stakeholders, including wireless, media, cable, and telecommunications companies, industry groups and trade associations, federal and state agencies, and Congress.

Prior to joining the FCC in 2009, Ms. Smith was Vice President and General Counsel of Washington Post Digital. In this role, she was in charge of all legal and policy matters for this leading digital media and technology company which managed The Washington Post Company's digital and technology properties across 10 different business units. She also oversaw and managed a full range of matters, including various media and internet issues, content protection and privacy/data issues as well as technology, licensing, and commercial

### Washington, D.C.

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### Practice Areas

Impact and Sustainability  
Entertainment and Media  
Corporate  
Privacy and Cybersecurity  
National Security Regulation  
and Investigations  
Technology, Media and  
Telecommunications  
Technology  
Intellectual Property  
Life Sciences and Healthcare  
Data Centers  
IP Transactions and Licensing  
Internet of Things  
Mergers and Acquisitions

### Admissions

District of Columbia Bar

### Education

Northwestern University  
Pritzker School of Law, J.D.  
1996  
University of South Carolina,  
B.A. 1993

## **Sherrese M Smith** (Continued)

transactions. Further, she represented the Company on all regulatory and government affairs issues, including federal and state cases, consumer class actions, and state attorney general administrative actions. She also supported the corporate and business development teams in strategic transactions including acquisitions, divestitures, and joint ventures.

Ms. Smith is a frequent lecturer on issues involving media, communications and data privacy and cybersecurity issues and she currently serves as an Adjunct Professor at The George Washington University.

### **Recent Representations**

#### **Media, Technology and Telecommunications**

- Advises clients on structuring regulatory compliant transactions and securing FCC and Team Telecom regulatory approvals for complex media and telecommunications transactions
- Advises clients on complex federal law and policy matters regarding foreign investment in US media companies and on navigating the FCC's rules governing multiple, cross-ownership and joint ownership of media and telecommunications properties
- Counsels broadcast, cable, telecommunications, equipment manufacturer, and investor clients on various matters including spectrum policy, content distribution (including retransmission consent), network-affiliate relations, mergers and acquisitions, and FCC enforcement actions
- Counsels media and telecommunications clients on regulatory and business issues involving the use and sale of spectrum, public safety and national security, licensing, compliance, policy, and foreign ownership matters.

#### **Privacy and Cybersecurity**

- Advises and counsels domestic and international companies, including media, technology and telecommunications conglomerates, global online and retail companies, healthcare providers, and others on compliance with diverse domestic and global data protection laws and standards, including: compliance with US federal and state privacy and security laws (Gramm-Leach-Bliley Act, Electronic Communications Privacy Act, TCPA, CAN-SPAM, VPPA, HIPAA and the new California Privacy Act ("CCPA") and related state privacy and security laws, among others); and various international data protection laws, including, but not limited to, the EU and US Privacy Shield Frameworks and the EU Data Protection Directive and General Data Protection Regulation ("GDPR")
- Advises and manages crisis response for multinational companies responding

## Sherrese M Smith (Continued)

to data breaches in various jurisdictions including the US, EU and Asia and represents companies in associated regulatory investigations and enforcement proceedings.

- Assists organizations in developing risk management strategies, including the implementation of cybersecurity frameworks and other planning tools to minimize risk and developing incident response plans ahead of cyber incidents
- Represents companies before regulatory agencies in connection with the formulation or consideration of new regulatory or legislative initiatives
- Provides privacy and security advice in M&A and other corporate transactions by efficiently identifying, assessing, and quantifying risk to assist companies in making smart business decisions in business transactions and negotiations

### Accolades and Recognitions

- Ranked in Legal 500 in three categories for 2019: Telecom and Broadcast: Regulatory; Telecom and Broadcast: Transactional; and Cyber Law (including Data Privacy and Data Protection). Sources say: "Sherrese is a great leader." Another source says: "She brings strong skills to the top-notch transactional practice."
- Recognized by Chambers USA in its 2018 edition as among its leading Media & Entertainment lawyers. Sources say she is "very strategic and creative in her thinking" and "a great thought partner on some challenging issues."
- Recognized by Chambers USA in its 2018 edition as one of the leading Telecom, Broadcast & Satellite lawyers. Clients report: "She's extremely helpful, quick to respond and has an answer to every question we ask. She used to be at the FCC and is very well connected there. She knows and understands the regulations very well, and is a pleasure to work with."
- Recognized by Chambers USA in its 2017 edition as among its leading Media & Entertainment lawyers. One interviewee explains: "Her connections and insights are incredibly invaluable to us. She is able to position our story really well with the regulator." Another commentator highlights "her knowledge and understanding of the regulatory landscape and the FCC as well as her really good understanding of our business and business needs."
- Recognized by Chambers USA in its 2017 edition as one of the leading Telecom, Broadcast & Satellite lawyers. Sources say: "Sherrese is absolutely magnificent in terms of her knowledge of the regulatory landscape in the US and her knowledge of how the FCC works. She also has a really good understanding of our business needs."
- Financial Times 2016 Innovative Lawyers Award for Great Legal Ideas. ("A multi-disciplinary team of lawyers was responsible for a series of ideas to create a model sharing agreement for the Federal Communications

## Sherrese M Smith (Continued)

Commission's auction of television spectrum, a first of its kind. Critical to creating successful contractual instrument was enabling broadcasters to share spectrum, foresee how future technologies would develop, and write these eventualities into the contract. Commended: Eric Greenberg and Sherrese Smith")

- Recognized by Chambers USA in its 2016 edition as among its leading Media & Entertainment lawyers. Sources say: "She does not over-promise, but she absolutely over-delivers. I am not aware of anything she has done that has not been done to the highest standard."
- Influential Women in Communications Award, 2012
- American Bar Association's "Women to Watch" Award, 2009
- Named an "Outstanding In-House Counsel" by the District of Columbia's chapter of the Association of Corporate Counsel, 2007

### Speaking Engagements and Publications

- A frequent lecturer on media, Internet, data protection and security, and intellectual property issues and a faculty member for the Practicing Law Institute. Recent speaking engagements and publications include:
- Co-Author, "Steps You Can Take Now to Reduce the Risk of Litigation Under the New California Consumer Privacy Act," June 2019
- "Making Sense of the Cybersecurity Landscape in 2019 Panel," Kellogg Alumni Club of New York and the Northwestern Law Alumni Club of NYC, New York, February 6, 2019
- "Global Data Privacy and Security Legal Issues Panel," ABA Forum on Communications Law 24th Annual Conference, Miami Beach, FL, January 31-February 2, 2019
- Moderator, "Topical Session – Four Key Challenges Presented by Emerging Technologies and Evolving Legal Frameworks Affecting the Telecommunications Industry," Pacific Telecommunications Council Annual Conference, Honolulu, HI, January 21, 2019
- Author, "Data Security in the Cloud Era: Development and Dividing Lines," December 2018
- "Electronic Media Regulation Panel," Practicing Law Institute's Communications Law in the Digital Age 2018, New York, November 8, 2018
- Moderator, "Women as Regulators, Women and Corporate Governance," George Washington Law Review Fall 2018 Symposium, Washington, D.C., November 2, 2018
- "Privacy Challenges and Opportunities in Cloud Computing Panel," IAPP, New York, June 20, 2018
- "Retrans Revenues and Costs: The Road Ahead Panel," S&P's 35th Annual TV

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& Radio Finance Summit, New York, June 14, 2018

- "Data Protection and Privacy in Internal Investigations Session," PH/Navigant Internal Investigations Forum, London, March 6, 2018
- Interviewed by Legal Marketing Association, as a part of the P3cast series, celebrating the P3 Women's Initiative Network and Women's History Month, March 2018
- Moderator, "Plenary Session – Forty Years After FCC v. Pacifica Foundation," ABA Forum on Communications Law 23rd Annual Conference, Napa, CA, March 1–3, 2018
- Co-Author, "Key Takeaways from the FTC's Latest Privacy Enforcement," January 2018
- "Topical Session on the Challenges Presented by Emerging Technologies and Evolving Legal Frameworks," Pacific Telecommunications Council Annual Conference, Honolulu, HI, January 22, 2018
- Aspen Action Forum, Aspen Institute, Aspen, CO, July 28–31, 2017
- Co-Author, "FCC Votes to Revisit Net Neutrality Rules," May 2017
- Co-Author, "President Trump Signs Executive Order Requiring Review of Federal Cybersecurity Policies," May 2017
- Co-Author, "President Trump Repeals the FCC's Broadband Privacy Rules; Legacy CPNI Rules Restored," April 2017
- Co-Author, "New Privacy Training Requirements for Covered Federal Contractor Employees," April 2017
- PH/GC Magazine Event: Diversity and Inclusion: Insights from Innovative General Counsel, Palo Alto, CA, March 7, 2017
- Co-Author, "U.S. House of Representatives Approves Repeal of FCC's Broadband Privacy Rules, Awaits Signature by President Trump," March 2017
- Co-Author, "U.S. Senate Approves Resolution to Repeal FCC's Broadband Privacy Rules; Resolution Heads to U.S. House of Representatives for Consideration," March 2017
- "Topical Session – Are Legal Frameworks Facing a Changing Reality? and Executive Insight Roundtable - Business Data Services: Market Realities," Pacific Telecommunications Council Annual Conference, Honolulu, HI, January 16, 2017
- Privacy and IoT Breakfast Roundtable, Paul Hastings, San Francisco, CA, January 12, 2017
- Co-Author, "The Self-Driving Turtle Wins the Race: Managing the Privacy and Security of Fast-Paced IoT Innovation," December 2016
- Co-Author, "FCC Releases Order Imposing New Privacy Rules on ISPs and Telcos," November 2016
- "Electronic Media Regulation Panel," Practising Law Institute's

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Communications Law in the Digital Age 2016, New York, NY, November 10, 2016

- "IoT Central Event on Privacy & IoT," New York, NY, October 10, 2016
- LeftFoot Podcast Interview titled, "Be 'The Person' with Sherrese Smith of Paul Hastings," September 2016
- "Women Corporate Directors Crisis Management in the Boardroom," San Diego, CA, September 27, 2016
- "Telecommunications and Technology Panel," Corporate Counsel Women of Color Twelfth Annual Career Strategies Conference, Las Vegas, NV, September 21, 2016
- Aspen Action Forum, Aspen Institute, Aspen, CO, July 19–22, 2016
- Women to Watch Media Interview, July 2016
- Co-Author, "Five Ways that Privacy Shield is Different from Safe Harbor and Five Simple Steps Companies Can Take to Prepare for Certification," July 2016
- Co-Author, "NTIA Seeks "Streamlining" of Team Telecom Process; FCC to Propose Rules," June 2016
- Co-Author, "Third Circuit Overturns JSA Attribution Rule and Orders FCC to Complete Stalled Ownership Proceedings," May 2016
- "Tech Disruption Meets Market Disruption," byline article published by BestTheNews.com, April 2016
- "This Isn't the Data You're Looking for: Privacy, Marketing, and Online Issues Panel," ABA Forum on Communications Representing Your Local Broadcaster, Las Vegas, NV, April 17, 2016
- "IoT Panel Event," Co-Hosted by Paul Hastings and OurCrowd, New York, NY, April 13, 2016
- Co-Author, "FCC Releases Notice of Proposed Rulemaking for New Broadband ISP Privacy Rules," April 2016
- Co-Author, "FCC Releases Fact Sheet Detailing Proposal for New Privacy Rules for Broadband ISPs," March 2016
- "Leaders in Corporate Innovation," Financial Times – Paul Hastings Innovators Forum, San Jose, CA., February 11, 2016
- "Keynote Session – Policy Issues for Reimagined Telecoms and Panel on Legal and Regulatory Considerations in a Digital World," Pacific Telecommunications Council Annual Conference, Honolulu, HI, January 18, 2016
- "Electronic Media Regulation Panel," Practising Law Institute's Communications Law in the Digital Age 2015, New York, NY, November 12, 2015
- HOW Forum, "The Alchemy of Innovation," New York, NY, November 6, 2015
- "Communications Privacy and Security and FCC Enforcement," Privacy and

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Security Forum, Washington, D.C., October 22, 2015

- "Data Privacy and Cybersecurity – Sharing Best Practices," Women in Corporate Governance Symposium, Washington, D.C., October 14, 2015
- "Practical Consequences Of The EU Decision On Safe Harbor," Paul Hastings Webinar, Washington, D.C., October 13, 2015
- "Best Practices on Protecting Employee Data, Company Data & Internal Emails," Corporate Counsel Women of Color Eleventh Annual Career Strategies Conference, Atlanta, GA, September 23, 2015
- "2015 Privacy Law Salon: Policymaker Roundtable," Washington, D.C., September 11, 2015
- "FCC Regulatory Update," SNL Kagan's Analyst Training in Media and Communications Program, New York, NY, August 11, 2015
- Aspen Action Forum, Aspen Institute, Aspen, CO, July 26–31, 2015
- "The New Economics of Retransmission Consent: Rising Rates and Rising Reverse Panel," SNL Kagan Institute's 32nd Annual TV and Radio Finance Summit, New York, NY, June 25, 2015
- "The Fundamentals of FCC Regulatory Law," The American Conference Institute's FCC Boot Camp, San Francisco, CA, June 22, 2015
- "Untwisting Regulatory Pretzels with the FCC," NAB Show, Las Vegas, NV, April 14, 2015
- Co-Author, "Not Just Refrigerators and Light Bulbs: Connected Vehicles as an Extension of the Internet of Things," April 2015
- Co-Author, "FCC Releases Order Subjecting Broadband Internet Access Services to Greater FCC Oversight," March 2015
- Media Advocacy Workshop, ABA Forum, Scottsdale, AZ, February 5, 2015
- Co-Author, "FCC Releases Fact Sheet Detailing Proposal for Unprecedented Reclassification of Mobile and Wired Broadband Internet Service," February 2015
- "Legal and Regulatory Risks in a Broadband World," Pacific Telecommunications Council Annual Conference, Honolulu, HI, January 19, 2015
- "Privacy Issues for Financial Institutions," AXA Law Department, New York, NY, December 12, 2014
- "Electronic Media Regulation Panel," Practising Law Institute's Communications Law in the Digital Age 2014, New York, NY, November 13, 2014
- "Media Regulation and Impact on Earnings and Valuation," SNL Kagan Media School Conference, New York, NY, October 6, 2014
- Co-Chair, Media Law Resource Center/American Bar Association/National Association of Broadcasters, 2014 Media Law Conference, Reston, VA,

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September 17–19, 2014

- "2014 Privacy Law Salon: Policymaker Roundtable," Washington, D.C., September 8–9, 2014
- "The Economics of Retransmission Consent – The Next Two Years," SNL Kagan Summit, New York, NY, June 3, 2014
- "A Roundtable Discussion on the Pitfalls of Emerging Technology and Other Issues," 34th Annual Ray Garrett Jr. Corporate & Securities Law Institute, Northwestern Law, Chicago, IL, May 1–2, 2014
- Co-Author, "FCC Issues Guidance on its Review of Transactions Proposing Sharing Arrangements and Contingent Interests," March 2014
- "Hot Issues in FCC Law," ABA Forum on Communications Law 19th Annual Conference, Aventura, FL, February 6–8, 2014
- "Social Media Misuse in the Workplace: Privacy, Mobility, and Best Practices," National Employment Law Council's Annual Conference, San Francisco, CA, April 23, 2014
- "Pillar Two CLE Program – Emerging Topics in Broadcast Regulation and Dealmaking," Goldman Sachs, New York, NY, February 13, 2014
- "Legal, Technological and Business Issues in a Global Digital Environment," Pacific Telecommunications Council Annual Conference, Honolulu, HI, January 20, 2014

### **Professional and Community Involvement**

- Member, The Philip Merrill College of Journalism's Board of Visitors
- Member, International Privacy and Security Forum Board of Advisors
- Member, APTS Board of Trustees and APTS Action, Inc. Board of Directors
- Member, Law360's 2019 Cybersecurity & Privacy Editorial Advisory Board
- Member, Law360's 2018 Telecommunications Editorial Advisory Board
- Board of Director, Student Press Law Center (2015-present)
- Serves on the board of the American Bar Association (ABA) Forum on Media and Communications Law
- Member of the Federal Communications Bar Association
- Past board member of the Media Law Resource Center Institute
- Past co-chair of the Copyright Committee of the ABA
- Admitted to practice in the District of Columbia

### **Education**

- Northwestern University School of Law, J.D., 1996
- University of South Carolina, B.A. in Business Administration, 1993

### **News**



## **Sherrese M Smith** (Continued)

**May 01, 2019**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2019

**June 15, 2018**

Novacap Completes Acquisition of Horizon Telecom

**May 11, 2018**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2018

**June 05, 2017**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2017

**December 07, 2016**

Paul Hastings Wins Financial Times' "Great Legal Ideas" Innovation Award,  
Recognized as Top 5 Firm for Innovation in North America

**June 30, 2016**

Oxford Networks Acquired by Oak Hill

**June 08, 2016**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2016

**February 02, 2016**

Paul Hastings Creates Collaborative Cross-Practice: Internet of Things

**December 23, 2013**

Paul Hastings Represents Gannett in Closing \$1.5 Billion Merger with Belo and  
Related Station Restructuring

**July 08, 2013**

Former Chief Counsel to the FCC Chairman to Join Paul Hastings

## **Insights**

**June 03, 2019**

Steps You Can Take Now To Reduce The Risk Of Litigation Under The New

## **Sherrese M Smith** (Continued)

California Consumer Privacy Act

**December 06, 2018**

Data Security in the Cloud Era: Development and Dividing Lines

**July 11, 2018**

California Consumer Privacy Act of 2018 Set to Dramatically Change Privacy Landscape Across the Country

**January 12, 2018**

Key Takeaways from the FTC's Latest Privacy Enforcement

**January 12, 2018**

Key Takeaways from the FTC's Latest Privacy Enforcement

**May 18, 2017**

FCC Votes to Revisit Net Neutrality Rules

**May 12, 2017**

President Trump Signs Executive Order Requiring Review of Federal Cybersecurity Policies

**April 04, 2017**

President Trump Repeals the FCC's Broadband Privacy Rules; Legacy CPNI Rules Restored

**April 03, 2017**

New Privacy Training Requirements for Covered Federal Contractor Employees

**March 29, 2017**

U.S. House of Representatives Approves Repeal of FCC's Broadband Privacy Rules, Awaits Signature by President Trump

**March 24, 2017**

U.S. Senate Approves Resolution to Repeal FCC's Broadband Privacy Rules; Resolution Heads to U.S. House of Representatives for Consideration

**December 12, 2016**

The Self-Driving Turtle Wins the Race: Managing the Privacy and Security of Fast-Paced IoT Innovation

## **Sherrese M Smith** (Continued)

**November 07, 2016**

FCC Releases Order Imposing New Privacy Rules on ISPs and Telcos

**July 14, 2016**

Five Ways that Privacy Shield is Different from Safe Harbor and Five Simple Steps Companies Can Take to Prepare for Certification

**June 15, 2016**

NTIA Seeks “Streamlining” of Team Telecom Process; FCC to Propose Rules

**May 25, 2016**

Third Circuit Overturns JSA Attribution Rule and Orders FCC to Complete Stalled Ownership Proceedings

**April 18, 2016**

Top Trends for Media and Entertainment Dealmakers

**April 04, 2016**

FCC Releases Notice of Proposed Rulemaking for New Broadband ISP Privacy Rules

**March 11, 2016**

FCC Chairman Floats Proposal for New Broadband Privacy Rules

**April 17, 2015**

Not Just Refrigerators and Light Bulbs: Connected Vehicles as an Extension of the Internet of Things

**March 18, 2015**

FCC Releases Order Subjecting Broadband Internet Access Services to Greater FCC Oversight

**February 05, 2015**

FCC Releases Fact Sheet Detailing Proposal for Unprecedented Reclassification of Mobile and Wired Broadband Internet Service

**May 16, 2014**

What are the critical issues for technology and media companies to consider when pursuing M&A transactions?

**March 13, 2014**

## **Sherrese M Smith** (Continued)

FCC Issues Guidance on its Review of Transactions Proposing Sharing Arrangements and Contingent Interests

**November 19, 2013**

FCC Opens Door to Greater Foreign Investment in TV and Radio Broadcast Sectors

**November 06, 2013**

Hot Privacy Issues for New FCC Chair Tom Wheeler

**November 04, 2013**

Important Developments for Telemarketers (and Their Clients) in FCC Regulations under the Telephone Consumer Protection Act

## **Rankings & Awards**

**April 26, 2019**

Recognized by Chambers USA 2019

**May 15, 2018**

Recognized by Chambers USA 2018

**June 05, 2017**

Recognized by Chambers USA 2017

**December 07, 2016**

Financial Times Names Recognized Paul Hastings for Great Legal Ideas

**June 08, 2016**

Recognized by Chambers USA 2016