



# Brian Kint, CIPP/US

## Member

## Philadelphia

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Brian is a certified information privacy professional (CIPP/US) who consistently finds creative solutions to his clients' problems.

Brian's passion lies at the intersection of law and technology. Prior to attending law school, Brian had a successful career as an IT professional at a large financial institution. He was credentialed as a Microsoft Certified Systems Engineer (MCSE) and a Cisco Certified Network Associate (CCNA). Brian's mix of legal knowledge and IT experience makes him uniquely situated to advise and advocate for clients on constantly changing data privacy and cybersecurity issues. He can speak the language of the law as well as the language of the IT professionals responsible for developing and implementing technology solutions to adhere to the law and to the organization's data security strategy. Not only does this capability give Brian a distinct advantage when litigating data privacy issues, but it also ensures that his clients' legal obligations are successfully translated into effective IT solutions.

Brian serves as a judge advocate in the U.S. Army Reserve and is the secretary of the Harvard Law School Association of Greater Philadelphia.

## Experience

Secured dismissal of complex antitrust litigation against our client, a manufacturer and distributor of flight helmets. The lawsuit stemmed from an advertising campaign which the client's competitors alleged violated not only federal antitrust laws, but also state defamation, unjust enrichment, and civil conspiracy law; the Delaware Consumer Fraud Act; the Federal Trade Commission Act; and the Lanham Act. The U.S. District Court for the District of Delaware dismissed the complaint in its entirety, with prejudice, and the U.S. Court of Appeals for the Third Circuit affirmed.

Obtained dismissal of a defamation claim brought against our clients, a national association for amateur radio operators and three of its officers, by a former regional chair of the association. The plaintiff filed the lawsuit in the wake of an article the association published on its website explaining that his chairmanship had been terminated because of repeated unauthorized communications on the association's behalf with the Federal Emergency Management Agency. In dismissing the claim, the district court accepted our argument that the affirmative defense of truth was appropriately raised at the motion to dismiss stage because the defense was apparent on the face of the complaint, including undisputedly authentic documents integral to the allegations. This victory was affirmed by the U.S. Court of Appeals for the Third Circuit.

Represented the Commonwealth of Pennsylvania in contesting the Chapter 9 bankruptcy petition filed for the City of Harrisburg by members of its city council. The Commonwealth was joined in its opposition to the bankruptcy filing by several other stakeholders, including the City of Harrisburg's mayor, and the unions representing city employees. Petition was dismissed and dismissal was upheld on appeal.

Represented association and board members sued for defamation. Arguments that Brian raised in motion to dismiss led to the court dismissing all claims with prejudice.

Represented a manufacturing company against product liability claims brought in federal court. Brian's

## Practice Areas

- Privacy & Data Security
- Antitrust
- Commercial Litigation
- Securities Litigation & SEC Enforcement

## Education

- Harvard Law School, J.D., 2011
- Georgia State University, B.A., 2008

## Bar Admissions

- New Jersey
- Pennsylvania

## Court Admissions

- U.S. District Court -- Eastern District of Pennsylvania
- U.S. District Court -- New Jersey
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for Veterans' Claims

## Affiliations

- Pennsylvania Bar Association
- Philadelphia Bar Association

## Clerkships

Honorable Gerald J. Pappert, U.S. District Court for the Eastern District of Pennsylvania

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argument that the court lacked jurisdiction resulted in the plaintiffs voluntarily withdrawing the suit.

Represented a top insurance company in a derivative suit brought by the shareholders of a target company and designed to block or delay the acquisition. Brian's representation resulted in a prompt dismissal of the claims.

Represented a life settlement company in a fraud action filed in state court. Brian worked with a Cozen team to draft a motion to dismiss the claims, which the court granted.