

Information Technology and Cybersecurity Practice

DOCB-NY attorneys have substantial experience drafting technology and other complex commercial contracts, and guiding public and private sector clients through the entire lifecycle from negotiation to litigation. Our experience includes advising vendor and third-party service provider arrangements, teaming agreements, operationalizing privacy laws, caring for data integrity and cybersecurity, and includes support for novel technology offerings for health insurance enrollment under the Affordable Care Act.

Our attorneys have handled a variety of data and cyber breach incident matters, including investigation assessment, governmental reporting in the United States and overseas, and remediation efforts involving complex supply chains. Over the last decade, one of our attorneys led technology-focused teams at Prudential Financial where he handled a wide range of technology, data and digital initiatives across a diverse set of financial services businesses.

Our team provides unique perspective enabling us to negotiate IT contracts for advantageous business terms, maximum client protection, and minimal liabilities in the event of a contract or data breach.

What we do ...

- DOCB-NY attorneys are familiar with varied contract forms and formats, including but not limited to standalone contracts, Master Service Agreements (“MSA”), Service Level Agreements (“SLA”), Data Processing Agreements with both data controllers and processors, and Third-Party Service Provider Agreements.
- We care for data access and use limitations for controllers and processors and their vendors or suppliers, whether the agreement is for SaaS, Paas, B2B, B2C, or B2B2C.
- We deal with robust information security infrastructure and cyber defense mechanisms, with related representations and warranties.



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- We care for data integrity and the formatting or storage of structured and unstructured data in a manner directed or approved by DHCR.
- Develop terms of use for any Application Programming Interface (“API”), flat file, or other data delivery/access/retrieval mechanism, including obligations to monitor and protect against unauthorized access;
- We help understand risk and address limits of liability and requirements for related insurance.
- We think forward and plan for end-user digital and data analytics.
- We know the best technology tend-user design-focused and customer-obsessed.

Notable IT and Cybersecurity Experience

- DOCB-NY attorneys provided services to a DC Healthlink implementer during the initial rollout of the DC HealthLink portal. DC Health Link was created and is governed by the DC Health Benefit Exchange Authority (“HBX”). DOCB-NY attorneys worked with the client to negotiate IT services, care for education of the staff, and teaming agreements within a coalition of implementers.
- Our attorneys have negotiated, documented and assisted in operationalizing data strategy and privacy program requirements across complex multinational business operations. This includes cloud data migrations, bespoke privacy and cybersecurity contracting terms for public and private sector entities, API portals, developing business operations playbooks, supporting new product development and delivering training.
- Our attorneys have advised on a variety of AI development and deployment projects, evolved AI governance structures and crafted policies for the use of Generative AI.
- Our attorneys have supported innovative product development and the creation of digital interfaces and cared for website compliance with the ADA.
- DOCB-NY attorneys have represented a strategic communications company with global firm fixed price, time and material and grant contracts from the U.S., U.K., Canadian, and German governments, among others. DOCB-NY attorneys drafted and reviewed all the company’s IT contracts and related multi-jurisdictional compliance requirements, advised the company on and have counseled on data beach matters.

About d’Arcambal, Ousley & Cuyler Burk LLP

For over twenty years, d’Arcambal Ousley & Cuyler Burk LLP (“DO&CB”) has provided exceptional legal counsel to Fortune 500 companies and large financial institutions. For each client engagement, DO&CB emphasizes cost-effective approaches, early case assessments, and strategic planning and expertise. Our lawyers previously practiced in corporate legal departments and large law firms, so we understand the voice of the customer and its business and legal objectives. DO&CB is women-owned with offices in New York City, New Jersey and Philadelphia.

Featured IT and Cybersecurity Attorneys

Stephen McDougall, Of Counsel

Stephen McDougall is a commercial lawyer with over 25 years of practice spanning complex litigation, insurance product and regulatory counsel, contracting, internal investigations, regulatory advocacy, M&A, Third Party Administration matters, securities and Broker-Dealer matters, and a substantial background in data strategy, privacy, cybersecurity and Artificial Intelligence. Stephen’s experience includes a decade at Sonnenschein Nath & Rosenthal (now Dentons) and most recently a substantial period at Prudential Financial where, among other things, he led teams in Group Insurance (including focus on the federal Servicemembers Group Life Insurance program, benefit plan design and operations for both public and private sectors) and the Customer Office (focused on digital transformation of business processes and customer experiences). Mr. McDougall’s responsibilities included providing support to a Chief Data Officer, a team of data scientists, and the Data & Privacy legal group regarding a multinational privacy program, subject matter expertise for data access and use across the globe, marketing, development and deployment of dozens of AI implementations, and extensive contracting with vendors and service providers.



Brianne E. Murphy, Of Counsel

Brianne Murphy brings nearly two decades of experience using a high level of legal acumen and sound business analysis to advise clients on all matters related to operating small and midsize global companies including IT contracts, risk mitigation, and litigation. Ms. Murphy provides comprehensive legal representation to clients on a broad range of issues including negotiating, litigating and enforcing IT and vendor contracts, real estate transactions, and government compliance including acquisitions, reporting, small and disadvantaged business subcontracting, physical and cyber security issues, and environmental matters. Ms. Murphy has represented a variety of clients from small business owners, nonprofits, investors, government entities, public-private partnerships, and individual litigants.

