

Benjamin Perry

PARTNER

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OVERVIEW

Co-lead of the firm's Data Privacy & Cybersecurity practice, Ben helps companies navigate the evolving privacy, cybersecurity, and artificial intelligence (AI) landscape by translating complex legal requirements into practical strategies that reduce risk and support business objectives. Drawing on his litigation experience, Ben helps organizations identify potential vulnerabilities, mitigate exposure, and address challenges before they become costly problems.

Ben advises organizations across industries on privacy, cyber, and AI matters, including compliance with U.S. and international frameworks such as the California Consumer Privacy Act (CCPA) and automated decisionmaking technology (ADMT) regulations, the Colorado AI Act, the EU AI Act, General Data Protection Regulation (GDPR)-style obligations, and the remainder of evolving state, federal, and international privacy and AI laws. He helps clients address governance issues throughout the product and business lifecycle—from designing AI-enabled products and processes and developing privacy disclosures to structuring vendor agreements, addressing workplace technology issues, building consumer disclosures and data rights workflows, and building

Industries

Manufacturing

Technology

Transportation

Services

Appellate

Artificial Intelligence

California Consumer Privacy Act

Canada, Mexico, Central, & South America

Class Action Defense

Colorado Privacy Act Resource Center

Commercial Litigation

Data Privacy & Cybersecurity

Europe, the Middle East, & Africa

International

Litigation & Alternative Dispute Resolution

State Privacy Laws

defensible privacy programs, incident response plans, and tabletop exercises.

Ben also works with growing and venture-backed companies to build privacy and security programs that support innovation and scale. He provides executives and technical teams with actionable guidance on issues such as responsible AI deployment, automated decision-making, transparency obligations, and implementing effective AI governance practices.

When incidents occur, Ben helps clients respond to ransomware attacks, insider threats, and complex multi-jurisdiction data events. He coordinates forensic investigations, regulatory response strategies, and communications efforts while helping clients manage litigation risk, regulatory scrutiny, and post-incident remediation.

Ben also defends businesses in privacy and technology litigation and arbitration involving the federal Wiretap Act, the California Invasion of Privacy Act (CIPA), Pennsylvania's Wiretapping and Electronic Surveillance Control Act (WESCA), the Florida Security of Communications Act (FSCA), the Video Privacy Protection Act (VPPA), and similar claims involving website analytics, pixels, session-replay tools, and customer interaction tracking. He also represents companies in individual and class actions involving data breaches, biometric privacy, and alleged unlawful data collection. His experience defending against these types of claims—including his ability to understand and interpret complex technical data flows—uniquely positions him to work directly with clients' marketing and IT departments. He helps those teams identify and mitigate the risk of similar claims while avoiding overcorrection, ensuring that compliance efforts do not come at the expense of their advertising and analytics objectives.

Clients benefit from Ben's combination of deep legal experience, technology fluency, and lean, collaborative approach to service. He delivers sophisticated guidance efficiently, leveraging innovative tools and firm resources while providing the responsiveness and attention clients expect from a trusted adviser.

Experience

- Guided a client through a data breach response affecting millions of individuals. Advised on notification obligations, coordinated with public relations and cyber forensics firms, communicated with state attorneys general in connection with follow-up investigations, and assisted with the defense of class action litigation.
- Advised a client on notification obligations under the Health Insurance Portability and Accountability Act (HIPAA) and applicable state laws following a breach involving patient data
- Advised a client on the development of a new orthodontic lending product, while complying with applicable data collection and disclosure obligations.

Experience

- Advised clients on the legal implications of proposed employee monitoring programs and their implementation.
- Drafted privacy policies and consumer and employee data collection disclosures to ensure compliance with existing and emerging federal and state privacy laws.
- Advised clients on responding to data subject access requests (DSARs).
- Negotiated and revised vendor contracts to ensure proper procedural safeguards required under applicable privacy laws.

Recognition

- Mid-South Super Lawyers, Rising Star, 2021-2025

Education

- J.D., Cumberland School of Law Samford University
 - *American Journal of Trial Advocacy*, Research and Writing Editor
- M.S., University of Alabama
- B.S., Birmingham-Southern College

Admissions

- Tennessee
- Alabama
- U.S. District Court, Eastern District of Tennessee
- U.S. District Court, Middle District of Tennessee
- U.S. District Court, Western District of Tennessee
- U.S. District Court, Eastern District of Wisconsin
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Ninth Circuit

Community Leadership

Ben serves on the Young Leaders Board of Make-A-Wish® Middle Tennessee, which holds special meaning for him as a former Wish kid. Nearly a decade into his service, he is honored to give back to the organization that once supported him.