

## KARIN M. MCGINNIS

*Co-head of Privacy & Data Security, Employment & Labor, Litigation*

t 704.331.1078

karinmcginnis@mvalaw.com



With two decades of experience as a practicing attorney, Karin McGinnis, CIPP/US, is known as a true business partner when litigating and providing counsel to her clients.

With two decades of experience as a practicing attorney, Karin McGinnis, CIPP US, has handled a wide variety of privacy and data security matters for her clients, with a special emphasis on privacy and data security issues in the workplace. Recognized by her peers as a Martindale Hubble AV Preeminent and among the North Carolina Legal Elite and Super Lawyers, Ms. McGinnis is known as a true business partner when litigating and providing counsel to her clients.

She has assisted clients with privacy and data security issues internationally, including compliance with GDPR, an international ethics hotline, international data transfers, and data breaches affecting consumers overseas. Ms. McGinnis also has experience drafting record retention, Bring Your Own Device (“BYOD”), and employee mobile device policies and programs in diverse industries, as well as PCI-DSS issues.

Ms. McGinnis’ privacy and data security experience includes counseling and litigation regarding misappropriation of trade secrets, violation of the Computer Fraud and Abuse Act and state computer trespass laws, and common law privacy torts. Her litigation experience also includes HIPAA privacy issues, discovery challenges posed by the Stored Communications Act, privacy of consumer financial information under Gramm-Leach-Bliley, and confidentiality rights concerning mental health consumers. She also has successfully negotiated and advised clients in responding TCPA claims.

Ms. McGinnis also handles data breach matters in the U.S. and internationally for her clients and has worked with the USSS and the FBI in investigating potential cyber-crime and data breaches. She has assisted clients with drafting and creating data breach procedures, FACTA Red Flag policies and procedures, online privacy policies, CCPA compliance, GLBA

### Capabilities

Asset-Based Lending

### Education

J.D., University of North Carolina at Chapel Hill, 1992, with high honors; Order of the Coif; North Carolina Law Review Staff, 1990; Senior Staff, 1991

B.S., East Carolina University, 1989

### Admissions

United States Court of Appeals for the Fourth Circuit, 1994

United States District Court Middle District of North Carolina, 1993

United States District Court Eastern District of North Carolina, 1993

United States District Court Western District of North Carolina, 1992

North Carolina, 1992

## KARIN M. MCGINNIS

---

compliance, data security plans, data security provisions in vendor agreements, and employee data security training.

In addition, Ms. McGinnis frequently advises clients and drafts policies and agreements in connection with employee monitoring, social media, the Electronic Communications Privacy Act, limitations imposed by the National Labor Relations Act on employee confidentiality and social media policies and agreements, drug testing, the Genetic Information Nondiscrimination Act ("GINA"), the Americans with Disabilities Act Amendments Act (ADAAA), the Fair Credit Reporting Act, the CAN-SPAM Act, and protection of private personnel information under state law.

In the age of increasing commoditization of legal services, from off-the-shelf policies to one-size-fits-all agreements, Ms. McGinnis knows that no two clients' needs are alike, and she works to achieve results that best fit each client's culture, resources and goals.

### Notable

- *Chambers USA* - North Carolina, Labor & Employment, 2014-2023
- *Best Lawyers in America*, ERISA, 2016-2018; Employment Law - Management, 2019-2023; Litigation - Labor and Employment, 2022-2023
- *North Carolina Super Lawyers*, "Top 50" list of Women, 2018-2023
- *North Carolina Super Lawyers*, Employment & Labor, 2015-2023
- *Benchmark Litigation*, Labor & Employment Star-South, 2019; Labor & Employment Star, 2020-2023
- *Business North Carolina* Legal Elite, Employment, 2005, 2008-2014, 2017-2023
- North Carolina Pro Bono Honor Society, 2020
- *Charlotte Business Journal*, Women in Business Award Winner, 2018
- ATHENA Leadership Awards, Corporate Nominee, 2014
- Leader in the Law, *North Carolina Lawyers Weekly*, 2012
- Business Leader Media Award Women Extraordinaire, 2010
- Martindale Hubble Rated AV Preeminent
- Certified Information Privacy Professional/US (CIPP/US), International Association of Privacy Professionals
- Certified Privacy and Data Security Specialist, North Carolina State Bar
- Member, North Carolina State Bar Specialization Committee for Privacy and Data Security, 2018-2019
- Chair, Board of Directors and Personnel Committee Chair, Second Harvest Food Bank of the Metrolinas
- Pro bono counsel assisting nonprofit organizations with employment law issues
- Past Chair, Young Lawyers Division of the North Carolina Bar Association
- Served as guardian ad litem for the Children's Law Center
- Serves as pro bono domestic violence counsel

## KARIN M. MCGINNIS

---

- Former Member, Film Advisory Board of the Carolinas Partnership
- Former Board of Directors Member, Volunteer Lawyers for the Arts
- Graduate, Charlotte Chamber of Commerce Leadership School
- Named to the Access to Justice Pro Bono Partners 2013 Pro Bono Honor Roll by Legal Services of Southern Piedmont, Legal Aid of North Carolina-Charlotte, and Council for Children's Rights
- Lead counsel for the plaintiff, "Mock Trial: Hostile Work Environment" presentation for Society of Human Resource Management (Charlotte, NC chapter) (October 11, 2010)

### **Affiliations**

- International Association of Privacy Professionals
- American Bar Association: Labor and Employment and Litigation Sections; Women Advocates Committee
- North Carolina Bar Association: Labor and Employment and Litigation Sections
- Young Lawyers Division, Secretary, Past Division Director for Service to the Bar, Long Range Planning Committee, Past Division Director for Service to the Public, Chair-Elect, 2000-2001; Chair 2001-2002
- North Carolina Bar Association: Board of Governors, 2001-2002; Nominations Committee 2002-2003
- North Carolina Bar Association: Lawyer Effectiveness and Quality of Life Committee 2006-2019
- North Carolina Bar Association: President's 4-All Task Force, 2007-2008
- North Carolina Bar Association Pro Bono Task Force