



## **Usama Kahf, CIPP/US**

*Partner*

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### ***Service Focus***

- Consumer Privacy Team
- Counseling and Advice
- Data Security and Workplace Privacy
- eDiscovery and Digital Workplace
- Employee Defection and Trade Secrets
- Wage and Hour

### ***Industry Focus***

- Supply Chain
- Transportation and Supply Chain

### ***Emerging Issues***

- CCPA Resource Center

### ***Languages***

- Arabic

### ***Overview***

Usama Kahf is a partner in Fisher Phillips' Irvine office, a Certified Information Privacy Professional (CIPP/US), and co-chair of the Data Security and Workplace Privacy Practice Group. His primary areas of practice are (1) workplace privacy and data security, (2) employee defections, unfair competition, trade secret theft, and corporate espionage, and (3) wage & hour.

Usama is an active member of the firm's Data Security and Workplace Privacy practice group and Consumer Privacy Team. He and a team of attorneys across the firm advise clients on compliance with state consumer privacy laws, including the California Consumer Privacy Act (CCPA), as amended by the California Privacy Rights Act (CPRA). He regularly conducts trainings and publishes

articles relating to data privacy and data breach matters, including data breach counseling, reporting, and litigation trends.

Usama's privacy law experience includes:

- Helping clients achieve full compliance with the CCPA / CPRA, both as to consumer and employee data.
- Data breach and ransomware triage and response, including advice on compliance with data breach notification laws, drafting data breach notices, and managing company's reporting to law enforcement and government agencies such as attorneys general offices.
- Providing privacy & data security training to managers.
- Defending against employee breach of privacy claims.
- Prosecuting litigation against individuals suspected of stealing private information of employees, clients, consumers, and patients, including seeking TRO.
- Advising clients on preventive measures, including, for example, security best practices and vendor contract negotiation/management.

In the trade secrets arena, Usama has helped employers obtain TROs and Preliminary Injunctions against former employees and competitors to prevent unauthorized use and disclosure of confidential information, secure the return of stolen intellectual property, and stop further solicitation of customers through use of trade secrets. While in most employment matters where employees file claims, employers find themselves having to spend significant resources even if they had done nothing wrong, Usama does his part to fight back against the bad apple employees who steal from the hand that feeds them. Usama's clients have been able to recover millions of dollars in damages they suffered from unfair competition and misappropriation of trade secrets. When employees cross the line and breach their legal and contractual obligations to their employer, clients count on Usama to help make them whole. He also works on drafting restrictive covenant agreements (non-disclosure, non-solicitation, non-compete, inventions assignment) for employers in all US jurisdictions and advises on implementation and enforceability of these agreements.

Usama represents employers in other areas of employment law as well, including wage and hour, harassment, and discrimination actions in state and federal court, arbitration, and before government agencies. While he is not focused on class action and PAGA litigation, he is experienced in this area and is typically handling one or two wage and hour class and PAGA actions at any given time; in fact, his first case out of law school that got him "hooked" on employment law was a wage and hour class action.

One of Usama's areas of expertise is independent contractor classification (1099 vs. W2). He regularly represents clients in litigation and government agency audits (EDD, DLSE, Labor Commissioner, State Fund, etc.) involving this issue and counsels clients on compliance with all

applicable tests for independent contractor status in all jurisdictions in the US. He also drafts and reviews independent contractor agreements.

Since 2014, Usama has been an active member of the firm's Electronic Discovery Committee, where he contributes regularly in advising his colleagues and their clients on defensible, effective, and efficient preservation, collection, review, and production of electronically stored information. He regularly presents seminars and trainings on e-discovery issues and has co-authored a book on electronic discovery practice under the federal rules.

He has also been selected for inclusion in *Southern California Super Lawyers* - "Rising Stars" from 2013 to 2023.

From January 2015 through December 2020, Usama served on the Board of Directors of The Nonprofit Partnership (TNP), a management support organization that serves the nonprofit sector in the greater Long Beach area by providing nonprofits with capacity building resources, training for board directors and officers, and consulting services. He was President of the Board of TNP for 2019-2020.

Before joining Fisher Phillips, Usama practiced employment law at the Los Angeles office of a major international law firm, where he worked with private schools and colleges, public school districts, a major airline, a large staffing company, a specialty grocery store chain, and a large privately held cosmetics company.

While in law school, Usama served as an extern for the Honorable Judge John Shepard Wiley, Jr., Los Angeles Superior Court, and as a litigation extern for the Housing Rights Center.

He also served as a note and comment editor of the *Loyola of Los Angeles Law Review* and as managing editor of the *Los Angeles Public Interest Law Journal*.

Prior to law school, Usama was a full-time lecturer for one year at California State University, Long Beach, where he taught public speaking and other communication classes and was the Assistant Director of the speech and debate team.

On most weekends, you might spot Usama on a longboard surfing at an Orange County beach.

## ***Credentials***

### **Education**

- J.D., 2009, Loyola Marymount University, Loyola Law School
- M.A., 2005, California State University, Long Beach
- B.S., 2003, California State University, Long Beach

## Bar Admissions

- California

## Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Eastern District of Michigan

## Recognitions

- Listed in *Southern California Super Lawyers – Rising Stars* (2013-2023)
- Listed in *Southern California Super Lawyers – Up-And-Coming 25 Orange County* (2021)

## Affiliations

### Professional Activities

- Member, American Bar Association
- Member, American Civil Liberties Union of Southern California
- Member, Arab American Lawyers Association of Southern California
- 2015-2020: Member, Board of Directors, The Nonprofit Partnership (Long Beach, CA), President of the Board, 2019-2020

## Insights

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EVENT 06/22/23

### Complying with Employee CCPA Requests – Best Practices and Strategies for Overcoming Common Roadblocks

Usama Kahf, Anthony Isola, Darcey M. Groden

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EVENT 06/01/23

### Driving into the Future: A Consumer Privacy Primer for Auto Dealers

Usama Kahf, Anthony Isola

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INSIGHTS 05/24/23

### 7 Steps to Comply with the CCPA

Usama Kahf, Darcey M. Groden, Anne Yarovoy Khan, Jenna Rogenski, Christopher M. Champine, Anthony Isola, Benjamin

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INSIGHTS 05/24/23

### Comprehensive FAQs on the CCPA

Usama Kahf, Darcey M. Groden, Anne Yarovoy Khan, Jenna Rogenski, Christopher M. Champine, Anthony Isola, Benjamin

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INSIGHTS

05/24/23

## Does the CCPA Apply to Your Business?

Usama Kahf, Darcey M. Groden, Anne Yarovoy Khan, Jenna Rogenski, Christopher M. Champine, Anthony Isola, Benjamin M. Ebbink

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EVENT

05/17/23

## The U.S. Data Privacy Landscape – Current State of Play

Risa B. Boerner, Usama Kahf, Anne Yarovoy Khan

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INSIGHTS

05/01/23

## Top Workplace Law Stories You May Have Missed from April 2023

Cheryl L. Behymer, Amanda M. Blair, Risa B. Boerner, Raeann Burgo, Melissa (Osipoff) Camire, Micah Dawson, Stephen R. Gee, Usama Kahf, Matthew R. Korn, Karen L. Odash, Courtney Leyes, Richard R. Meneghello, Catharine Morisset, Lisa Nagele-Piazza, Raymond W. Perez, Justin Reiter, Marilyn Schuyler, Drew Tate, J. Hagood Tighe, Brett M. Wendt, Alexander A. Wheatley, Jeremy F. Wood, Annie Ziesing, Chad M. Zimlich

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INSIGHTS

05/24/23

## Summary of California Consumer Rights and Business Deadlines for Responding to Privacy-Related Requests

Usama Kahf, Darcey M. Groden, Anne Yarovoy Khan, Jenna Rogenski, Christopher M. Champine, Anthony Isola, Benjamin M. Ebbink

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INSIGHTS

05/11/23

## PEO Pointers – Are You Using Chatbots or Pixels on Your Website? Consider Mitigating Measures to Avoid Wiretapping Litigation

Linda J. Gulledge, Usama Kahf

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INSIGHTS

04/26/23

## Montana and Tennessee Join National Trend to Pass Broad Consumer Privacy Legislation: Top 8 Questions for Businesses

Usama Kahf, Risa B. Boerner, Micah Dawson, Courtney Leyes

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