

4th Circuit Limits Application of Computer Fraud and Abuse Act

News

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Brent Cossrow, a partner in the Philadelphia office, was quoted in the October 2012 *InsideCounsel* article "4th Circuit Limits Application of Computer Fraud and Abuse Act." The magazine reported on an emerging circuit split over whether it's appropriate to extend the Computer Fraud and Abuse Act (CFAA) to employment disputes. The statute, which Congress enacted in 1986, makes it illegal to intentionally access a computer without authorization or to exceed authorized access to a computer to obtain information. Since Congress updated the CFAA in 2007, employers have been using it to bring disputes with former workers into federal court rather than state court venues. The circuit courts' differing interpretations of the law are creating uncertainty for employers and workers alike. Brent said: "Many of these cases involve industries and businesses where it makes sense to take the issue up and get a decision that will provide clarity from the Supreme Court. Employers aren't the only ones who have an interest in resolution of the split. This affects all Americans who use computers in the workplace."

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