



# Our Artificial Intelligence Capabilities



An aerial photograph of New York City, featuring the Manhattan skyline with numerous skyscrapers and Central Park in the center. A digital network of glowing blue lines and nodes is overlaid on the image, connecting various points across the city. The network is most prominent in the foreground and middle ground, with lines radiating from several central nodes.

“Debevoise provides insightful, strategic and highly value-added advice, and is a true partner to us, fully integrating into our team and working seamlessly on transactions.”

“Debevoise exercises brilliant judgment and their experience and regulatory contacts are unmatched.”

*Chambers USA*



Artificial intelligence, machine learning and data-driven technologies are rapidly transforming businesses across all industries, presenting a wide range of new legal challenges that accompany the advantages of an increasingly automated society. The Debevoise artificial intelligence team provides sophisticated, innovative advice to address these emerging challenges, routinely advising clients about the legal risks and regulatory implications of these complex, cutting-edge technologies.

## A Premiere Interdisciplinary Practice

As part of our leading Data Strategy & Security (DSS) practice, the Debevoise AI team works seamlessly with other DSS members to combine our AI, cybersecurity, privacy, business continuity, M&A diligence and data governance practices into one fully integrated, interdisciplinary and coordinated group. Our lawyers have deep technical knowledge that allows them to translate complex technical findings into legal and business decision points on a global scale.

## Experience in Navigating Complex Regulatory Inquiries

We regularly handle the most challenging and complex AI-related regulatory inquiries and supervisory examinations with the utmost levels of sophistication, expertise, creativity and commercial judgment. Our deep bench of former U.S. regulators from the U.S. Department of Justice, Securities and Exchange Commission, Federal Reserve Board and the N.Y. Department of Financial Services uniquely positions Debevoise to navigate regulatory inquiries concerning new technologies.

## Unparalleled Leaders in Global AI Solutions

In addition to our deep understanding of the legal issues relating to AI technologies, our lawyers are at the forefront of developing global solutions to address the emerging ethical and reputational issues raised by AI. Our team is actively involved in efforts to develop best practices for AI ethics and governance, including through the IEEE Global Initiative on Autonomous and Intelligent Systems and other expert groups. Through these efforts, Debevoise delivers sophisticated, hands-on expertise and industry-shaping leadership on AI.

# A Full Complement of AI-Related Legal Services

In today's dynamic regulatory environment, managing risks at the intersection of law and technology means measuring data optimization and data protection strategies against existing laws and regulations, as well as anticipated changes to these legal frameworks.

Our DSS practice layers deep AI experience across a variety of key industries and sectors, offering legal services for clients across the spectrum of AI matters, including:

## Risk Assessments, Regulatory, and Compliance

- **AI Risk Assessments and Model Testing.** We conduct AI risk assessments for clients, including global financial institutions. Our work ranges from leading a full legal and technical risk assessment of various AI and data programs, typically performed in tandem with a technical vendor, to a targeted review of areas known to attract regulatory and enforcement focus. This includes testing AI systems for bias, explainability, model drift, and robustness against unexpected events, as well as implementing appropriate guardrails or technical measures to mitigate risks.
- **AI Regulation Tracking.** We track closely new and proposed AI regulations and guidance in the United States and around the world using our AI regulation tracking tool, which can show trends and predict where AI regulation is heading.
- **Communication with Regulators.** We communicate frequently with leading AI and data regulators in the United States and Europe, including in our Debevoise Data Strategy Webinars and our AI Roundtable Series, co-hosted with the IEEE.
- **Regulatory Enforcement and Examinations.** We provide seasoned representation to companies in high-stakes government examinations, enforcement, and litigation related to AI, including before federal regulatory and supervisory agencies.

## Corporate Governance

- **AI Ethics and Governance.** We help companies establish AI ethics, governance, and compliance programs, including with respect to transparency, documentation, policies, and training. We also assist companies in establishing dedicated AI principles, cross-functional committees, and oversight processes.
- **Board/Executive Briefings and Training.** We offer sessions tailored to board members or company executives on the latest developments in AI regulations and risks, as well as guidance on their obligations in these areas.

## AI Incident Planning and Crisis Management

- **Mock AI Events and Tabletop Exercises.** We help our clients prepare for business continuity events by conducting real-world drills of AI failures or other data events for various functions within the organization including legal, compliance, IT, risk, communications, executive management and the board.
- **Incident Response.** Our AI Incident Response Services include helping clients navigate AI incidents with crisis management, internal and external communications, fact investigation, regulator and law enforcement liaison, civil regulatory investigations, defense of civil litigation and attention to the needs of the Board and C-Suite.
- **Insurance.** We assist companies in determining whether their existing insurance is sufficient to cover their AI risk.

## Corporate and Transactional

- **M&A Due Diligence.** We lead AI diligence investigations, including advising on policies and procedures for due diligence and for integration generally, as well as on issues raised by specific AI acquisitions and investments.
- **AI Licenses and IP Advising.** We negotiate AI-related technology agreements, licenses, and joint venture arrangements and advise clients on their IP rights in data sets, models, and model outputs.
- **Vendor Diligence and Oversight.** Many companies increasingly rely on third-party vendors to supply cutting-edge AI. We can look quickly at significant vendor agreements, and at the policies and procedures for administering vendor relationships, and advise on how they might be updated to mitigate AI risk.

“[A] fantastic ability to anticipate issues and a fantastic ability to work with in-house counsel in an extremely collaborative way.”

*Chambers USA*

“They have an unusual concentration of legal talent, from senior partners to associates. It is difficult to find a firm with such a number of respected individuals in this field.”

*Chambers Global and Europe*

# Artificial Intelligence Select Representations

A leading financial institution in connection with federal bank supervisory expectations concerning artificial intelligence and data governance.

A major international bank in a comprehensive AI risk assessment for their artificial intelligence programs.

A global fraud prevention platform in development of a comprehensive artificial intelligence ethics and governance framework, including relevant policies and procedures, governing committees, trainings, board briefings, and AI tabletop exercises.

A major professional sports league with respect to legal implications of potential uses of facial recognition and other biometric technologies.

A major FinTech company on a broad range of artificial intelligence and data privacy issues concerning their use of machine learning and big data technologies, including related to the Fair Credit Reporting Act, the Gramm-Leach-Bliley Act, and the DFS cybersecurity regulation.

Represent a global online advertising platform in a federal regulatory inquiry concerning the use of machine learning algorithms.

The Securities Industry and Financial Markets Association in submitting a public comment letter concerning the Consumer Financial Protection Bureau's advance notice of proposed rulemaking on consumer access to financial records.

A leading private equity firm concerning reputational, regulatory, operational, and governance risks related to artificial intelligence.

Multiple clients in providing comments to draft state and federal legislation concerning artificial intelligence.

A global media company on intellectual property issues related to the license of archival media content for AI training and development.

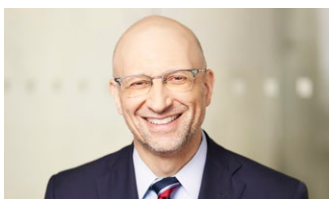
Several leading insurers in developing artificial intelligence governance and compliance frameworks, including artificial intelligence risk assessments, bias testing, vendor oversight, board briefings, training of key stakeholders, and AI tabletops, among other activities.





## Your Team

### Avi Gesser



Partner, New York • [agesser@debevoise.com](mailto:agesser@debevoise.com) • +1 212 909 6577

Avi Gesser is Co-Chair of the firm's Data Strategy & Security Group. His practice focuses on advising major companies on a wide range of cybersecurity, privacy and artificial intelligence matters. He has represented global financial services firms, private equity firms, insurance companies, hedge funds and media organizations in large-scale ransomware attacks, cyber breaches by nation-states, and regulatory investigations relating to the use of artificial intelligence. Mr. Gesser regularly advises boards and senior executives on governance, risk, and liability issues relating to cybersecurity and AI. Mr. Gesser is also a primary author of the firm's Data Blog and the architect of the Firm's Data Portal, an online tool that helps clients quickly assess and comply with their cyber breach notification obligations and tracks AI regulatory developments.

### Erez Liebermann



Partner, New York • [eliebermann@debevoise.com](mailto:eliebermann@debevoise.com) • +1 212 909 6224

Erez Liebermann is a litigation partner and a member of the firm's Data Strategy & Security Group. His practice focuses on advising major businesses on a wide range of complex, high-impact cyber-incident response matters and on data-related regulatory requirements. With decades of experience in data issues as a litigator, federal prosecutor and senior in-house counsel at a global insurance company, Mr. Liebermann regularly advises clients at the C-suite and board level on building strategies to reduce their data-related regulatory and reputational risks, and on navigating high-profile government investigations following data incidents. He is also widely acknowledged as a leading cybersecurity and data privacy professional and is ranked among the leading lawyers by *Chambers USA* (2022), where clients note that he is "one of the most intelligent attorneys, [and] very practical and great to work with."

### Jim Pastore



Partner, New York • [jjpastore@debevoise.com](mailto:jjpastore@debevoise.com) • +1 212 909 6793

Jim Pastore is a litigation partner and a member of the firm's Data Strategy & Security practice. His practice focuses on privacy, cybersecurity and artificial intelligence issues. Mr. Pastore is recognized by *Chambers USA* and *The Legal 500 US* for his cybersecurity work, and has been included in *Benchmark Litigation's* 40 and Under Hot List which recognizes attorneys 40 and under with outstanding career accomplishments. Named as a Cybersecurity Trailblazer by *The National Law Journal*, Mr. Pastore has also been named three times to *Cybersecurity Docket's* "Incident Response 30," a list of the best and brightest data breach response attorneys. Prior to rejoining Debevoise in 2014, Mr. Pastore served for five years as an Assistant United States Attorney in the Southern District of New York where he spent most of his time as a prosecutor with the Complex Frauds Unit and Computer Hacking and Intellectual Property Section.

## Johanna Skrzypczyk

Counsel, New York • [jnskrzypczyk@debevoise.com](mailto:jnskrzypczyk@debevoise.com) • +1 212 909 6291



Johanna Skrzypczyk is a counsel in the Data Strategy and Security practice of Debevoise & Plimpton LLP. Her practice focuses on advising AI matters and privacy-oriented work, particularly related to the California Consumer Privacy Act. Prior to joining Debevoise, Ms. Skrzypczyk served as Assistant Attorney General in the Bureau of Internet and Technology at the New York Attorney General's Office. In this role, she helped draft the amendments to New York's data breach law (known as the SHIELD Act), investigated, litigated, and negotiated the landmark settlement of an action against a national corporation regarding credential stuffing, one of the very few regulatory actions to address this widespread type of cyberattack, and co-led an initiative involving potential discriminatory impacts of AI. Ms. Skrzypczyk also worked on matters involving consumer privacy, data security and virtual markets.

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## Anna R. Gressel

Associate, New York • [argressel@debevoise.com](mailto:argressel@debevoise.com) • +1 212 909 6485



Anna R. Gressel is a senior associate and a member of the firm's Data Strategy and Security Group and its FinTech and Technology practices. Her practice focuses on representing clients in regulatory investigations, supervisory examinations, and civil litigation related to artificial intelligence ("AI") and other emerging technologies. Ms. Gressel has a deep knowledge of regulations, supervisory expectations, and industry best practices with respect to AI governance and compliance. She regularly advises boards and senior legal executives on governance, risk, and liability issues relating to AI, privacy, and data governance. Her recent matters include assisting global financial institutions, publicly traded companies, insurers, and technology companies in establishing AI and data governance policies and procedures, advising on relevant regulatory and compliance obligations, and conducting targeted assessments of internally developed or third-party technologies. Ms. Gressel is an active thought leader and speaker on AI and data regulatory and litigation trends, including before agencies such as the U.S. Food and Drug Administration, and she regularly participates in industry efforts to establish best practices in the areas of AI explainability, risk assessment, and governance.



# Debevoise & Plimpton

## **New York**

66 Hudson Boulevard  
New York, NY 10001  
Tel: +1 212 909 6000  
Fax: +1 212 909 6836

## **Washington, D.C.**

801 Pennsylvania Avenue N.W.  
Washington, D.C. 20004  
Tel: +1 202 383 8000  
Fax: +1 202 383 8118

## **San Francisco**

650 California Street  
San Francisco, CA 94108  
Tel: +1 415 738 5700  
Fax: +1 415 644 5628

## **London**

65 Gresham Street  
London  
EC2V 7NQ  
Tel: +44 20 7786 9000  
Fax: +44 20 7588 4180

## **Paris**

103 rue de Grenelle  
75007 Paris  
Tel: +33 1 40 73 12 12  
Fax: +33 1 47 20 50 82

## **Frankfurt**

Taunustor 1 (TaunusTurm)  
60310 Frankfurt am Main  
Tel: +49 69 2097 5000  
Fax: +49 69 2097 5555

## **Luxembourg**

4a, rue Albert Borschette  
L-1246 Luxembourg  
Tel: +352 28 5795 33 00

## **Hong Kong**

21/F AIA Central  
1 Connaught Road Central  
Hong Kong  
Tel: +852 2160 9800  
Fax: +852 2810 9828

## **Shanghai**

13/F, Tower 1  
Jing'an Kerry Centre  
1515 Nanjing Road West  
Shanghai 200040  
Tel: +86 21 5047 1800  
Fax: +86 21 5047 1600