

**BUSINESS LAW SECTION OF THE FLORIDA BAR  
COMPUTER LAW AND TECHNOLOGY COMMITTEE**

Meeting Minutes – BLS Labor Day Retreat – via Zoom  
September 2, 2020 2:00 PM

Chair: Peter Maskow

Vice Chair: Joshua Marks

Second Vice Chair: Eli Mattern

Attendees

1. Peter Maskow
2. Joshua Marks
3. Howard Cohen
4. Adam Duh
5. Aimee Diaz
6. Al Leiva
7. Angelique Gulla
8. Ava Doppelt
9. Daniel Davis
10. Daniel Whitehouse
11. Darren Spielman
12. Diana Mederos
13. Doug Cherry
14. Elizabeth Stamoulis
15. Jeffrey Hirsch
16. Jessica Shraybman
17. Jim Matulis
18. Jonathan Damonte
19. Moish Peltz
20. Rob Brighton
21. Robert Kain
22. Steve Blickensderfer
23. Terry Sanks
24. Valeria Angeliucci
25. Zachary Catanzaro
26. Zalman Kass
27. DaVatrice Lindey
28. Manny Farach
29. Toni Tsvetanova
30. Valerie Angelucci
31. Zach Catanzaro
32. Zalman Kass

## Minutes:

The Computer and Technology Law Committee met on September 2, 2020. Minutes were approved from the prior June 18, 2020 meeting with Darren Spielman moving and Steven Blickensderfer seconding. The Committee discussed its proposed legislative position on data privacy and cybersecurity of personal information. The proposed position states “Supports legislation relating to data privacy and protection, including cybersecurity, that strikes the appropriate balance between protecting personal information without placing undue restrictions on business development or unnecessarily stifling technological advancement in this State.” Steven Blickensderfer noted that two prior attempts at privacy legislation were made - a biometric privacy bill that had issues with a private right of action and an online privacy policy bill that has non-traditional carve-outs for non-resident businesses with dormant commerce clause issues. He noted the proposed position is a reasonable middle ground between consumer protection interests and interests to prevent overburdening business. Pete Maskow noted that the position was drafted to strike a balance between competing interests and have a position in place to address it with the legislature. Aimee Diaz Lyon, the Section’s lobbyist, thought the wording was reasonable and strikes a good balance. She anticipates seeing privacy legislation moving forward. She noted that a whitepaper should be drafted if the position is taken to the Executive Council. Pete Maskow proposed utilizing prior whitepaper work of the committee to create the new whitepaper in a short time frame and offered to anyone on the committee to assist. Steven Blickensderfer moved to advance the proposed position as adopted by the Committee and it was seconded by Robert Kain. Aimee proposed other substantive committees who may be interested in it be notified and suggested notifying the IP Committee. Jim Matulis of the IP Committee said it would be in the upcoming meeting agenda. Pete Maskow would attend to discuss the proposed position.

The Committee obtained an update from the Digital Currency Taskforce from Robert Kain. He noted the meeting was September 3. He stated that the taskforce prepared a paper on sandbox legislation and needs to reach out to the office of financial regulation to find out when a rules package will be proposed for the sandbox. He explained the sandbox as a period of time where, if current statutes and regulations prohibit a person from developing cryptocurrency or exchanges for it, that person can apply for exemptions during the sandbox period that would apply to the Money Transmitter Act and the Financial Credit Act. Manny noted that the State of Florida has a new Chief Information Officer, Representative Grant, and he may want input on this.

Manny Farach from Legislative Committee provided a Summary of Initiatives. He noted the corporations bill was progressing and ready for 2021. He described that restrictive covenants, consumer privacy, and blockchain will be issues. He noted the legislative position request form and whitepaper as required for advancing a position to the Executive Council and Legislative Committee.

Hot Topics were discussed by Joshua Marks. The topics covered included (i) the Executive Order Addressing TikTok and its Parent Company, ByteDance, (ii) the Court of Justice of the European Union Case C-311/18 – Data Protection Commissioner v Facebook Ireland Ltd and Maximillian Schrems (aka Schrems II), and (iii) NIST Publication of a Draft Report on the “Four Principles of Explainable Artificial Intelligence.”

BLS Leadership joined the meeting, including Leyza Blanco, Mark Stein, Doug Bates, and Doug Bell. They described starting a weekly newsletter to consolidate weekly announcements and made an open call for updates. The open call was for any committee related updates for the chairs' messaging. They asked anyone interested in the BLS retreat to save April 7-11 as the target date for it. In addition, they notified the committee that there will soon be a LinkedIn company page for the BLS.

Regarding potential CLE ideas for the coming year, Pete Maskow discussed working on a panel, potentially in November, on technology and the unlicensed practice of law. He also noted the committee is accepting applications for CLE webinars/presentations for the upcoming year. Pete Maskow further encouraged the committee to get involved with Florida Bar Foundation. He noted that, since Covid became prevalent, FBF had an influx with remote handling. Pete encouraged the Committee to go to Pro Bono Matters website and offer to help. Eli Mattern made an open call for anyone to help with Pro Bono Matters, particularly for help to non-profit technology startups. Jessica Shraybman noted the venture law project, which stopped operating, that worked with Dade Legal Aid in a similar area. Eli Mattern said there may be a resurgence of others to start up new businesses. Steve Blickensderfer noted his prior experience with Pro Bono Matters to help clients update privacy policies, and noted the need for pro bono help to businesses to address security incidents. He was not aware of a central place for people to go to for those issues and noted it would be helpful to know where to send those businesses. Pete Maskow noted that, as resources are discovered, BLS CTLC can get the word out on the listserv.

Pete Maskow noted open liaison positions for Pro Bono and CLE. Adam Duh provided an update for inclusion. He noted there was going to be a networking event tomorrow and encouraged participation. There was a pumpkin carving contest and Halloween party upcoming. Further, they adopted a CLE diversity policy to be proposed at the EC meeting. The proposed policy is that any CLEs with more than three people presenting should be diverse by Race, Gender, Sex, or Physical Disability. Pete Maskow made an open call for anyone interested in participating in a judicial chair position.

Old business included mention of Zach Catanzaro and Robert Kain's recent publication on blockchain in the Florida Bar Journal for September. New business included mention by Zach Catanzaro that the Civil Rules Taskforce proposed a white paper to update e-discovery standards to align state rules with federal rules. He noted they are looking for feedback and comments.

The meeting was then adjourned with Robert Kain moving and Darren Spielman seconding.