

Legal Insights is a newsletter of timely and practical legal information that we hope you can use in your professional and personal pursuits. Please contact your attorney at Nicola, Gudbranson & Cooper if you have any questions or comments or if you would like to suggest topics of interest for future issues.



New cybersecurity defenses for data breach violations

With the Ohio Data Protection Act, Ohio became the first state to provide corporate defendants with an affirmative defense to data-breach claims involving personal information. According to Jim Grove, Ohio corporations now have an affirmative defense against liability for alleged consumer damages if they can demonstrate their concrete efforts to design and implement a cybersecurity program that reasonably conforms to recognized identity standards.

[Read the full article.](#)

Wills may be contested for many reasons; challenges are similar to civil litigation

Many are surprised to learn that the will of a deceased relative or loved one can be challenged in probate court. Given these challenges often involve claims by one side of a family against another, so-called will contest actions can involve strong emotions and be very difficult to resolve, according to Nick Dertouzos and Brenda Wolff.



Claims that challenge the will may include allegations of fraud, undue influence or elder abuse. Claims against an executor can include breach of fiduciary duty, misuse of estate assets and can even include a request that the court appoint a new executor.

[Read the full article.](#)

When a business owner dies Keeping the company alive—or not

Let's say that a loved one who owns and runs a successful small business dies suddenly. A first challenge is to determine whether the business can successfully be continued, or whether it should be sold as a going concern or closed and liquidated as quickly and efficiently as possible for the benefit of the deceased owner's heirs or other beneficiaries.



While each situation will be different, depending upon the type of business and the particular circumstances, it is critical to perform certain tasks

SPOTLIGHT

Nicola, Gudbranson & Cooper's Education Litigation Group draws upon the skills of NGC's attorneys, including our business and litigation attorneys, to assist with evaluation of claims and their defense and prosecution.

NGC has extensive administrative and civil litigation experience representing clients on issues involving education and charter school regulation. NGC's Education Litigation Group represents clients in administrative hearings as well as in state and federal courts throughout Ohio.

Contact an NGC attorney for a consultation on these and other legal matters involving public or private schools:

- Disciplinary actions
- Students with disabilities special needs claims
- Due process hearings

In addition, NGC's [school law](#) attorneys assist schools in Greater Cleveland and across Ohio in all operational aspects, including employment and labor issues, student rights and discipline matters, policy development and facility acquisition, expansion and financing. We also counsel parents, students and educators in all aspects of school life.

FIRM NEWS

NGC's newest associate, [Nataly Mualem](#), has joined our Education Law Group. Nataly graduated *cum laude* from Ohio Northern University Law School and was admitted to the bar in November 2017. Nataly speaks Arabic, Turkish and Spanish, and will also be assisting our Immigration Law Group.

[Brad Ortman](#) gave a firsthand account of the experience of asylum seekers from Central America who enter the United States through the Southern Border. At Temple Israel in Canton in March, Brad recounted how he spent a week as a volunteer at an Immigration Detention Center in Dilley, Texas, which is where many asylum applicants are detained while the government determines whether they have a credible fear of persecution. Brad spoke on his experiences assisting asylum applicants with these kinds of claims; why people are fleeing from countries in Central America; and the larger issues raised given President Trump's declaration that the flow of migrants from Central America constituted a national emergency.

Brad also participated in a panel on "Understanding Current Immigration Issues," which was presented by The Literacy Cooperative. The event was for adult literacy educators, after school program providers, librarians, and

as quickly as possible. Bruce Waterhouse shares some thoughts from our experience at Nicola, Gudbranson & Cooper in handling such situations.

community members.

[Read the full article.](#)

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