

Kirsten E. Small CIPP/ US

MEMBER

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Practices

Social Media Law

Title IX

Government Investigations and
White Collar Defense

Privacy & Data Security

Litigation

Appellate

Class Actions

Industries

Technology Disputes and Litigation

Education

→ Georgetown University Law
Center

→ Whitman College

Admissions

→ Maryland

→ North Carolina

→ South Carolina

→ U.S. Court of Appeals, Fourth
Circuit

Kirsten Small is a member in Nexsen Pruet's Greenville, South Carolina office. A member of the International Association of Privacy Professionals (IAPP), Kirsten came to the field of privacy law through her work as a litigator and appellate lawyer, a background that gives her a unique insight on how a company's policies and actions before a data breach can help mitigate—or avoid—liability if a breach occurs. Kirsten takes a proactive approach to information management, working with businesses of all sizes to develop tailored, cost-effective solutions for managing information and meeting data privacy challenges.

Kirsten also maintains an active litigation practice, focusing on appeals and complex federal matters, including antitrust and False Claims Act cases. Her work at the trial and appellate levels has involved her in cases at the leading edge of computer fraud litigation, theft of proprietary information by employees, and the use of social media evidence in civil proceedings and criminal trials.

Before joining Nexsen Pruet in 2007, Kirsten began her legal career serving as senior law clerk to the Honorable William W. "Billy" Wilkins, whom she is now proud to call "partner," as well as "Judge."

- U.S. Supreme Court
- Greenville County Bar

Experience

- United States v. Pinson*, ___ F.3d ___ (4th Cir. June 19, 2017)
- Patel v. Patel*, 2016 WL 3093120 (S.C. Ct. App. June 1, 2016)
- Cunningham v. Anderson County, SC*, 778 S.E.2d 884 (S.C. 2015)
- United States v. 515 Granby, LLC*, 736 F.3d 309 (4th Cir. 2013)
- Melton ex rel. Dutton v. Carolina Power & Light Co.*, 283 F.R.D. 280 (D.S.C. 2012)
- WEC Carolina Energy Solutions v. Miller*, 687 F.3d 199 (4th Cir. 2012)
- Trademark Properties, Inc. v. A&E Television Networks*, 422 F. Appx. 199 (4th Cir. 2011)
- Fraternal Order of Police Lodge No. 89 v. Prince George's County, Md.*, 608 F.3d 183 (4th Cir. 2010)

Recognitions

- *Greenville Business Magazine's* Legal Elite of the Upstate, 2017-2019, 2022
- Selected, Riley Institute at Furman's Diversity Leaders Initiative (DLI), Fall 2017

Community & Professional

- South Carolina Women Lawyer's Association
- South Carolina Bar
 - Ethics Advisory Committee
 - Chair-Elect, Trial & Appellate Advocacy Section
 - Lawyers Fund for Client Protection Committee
- Leadership South Carolina, 2012-2013
- Defense Research Institute, DRI - The Voice of the Defense Bar
 - Electronic Privacy Working Group
 - Committee Liaison, Women in Law Committee
 - Appellate Advocacy Committee

- Fourth Circuit editor for Certworthy Newsletter
- Steering Committee Member, "Sharing Success, A Seminar for Women Lawyers"
- Board of Directors, National Foundation for Judicial Excellence, 2015-2018
- Appointed to serve on the CJA Appellate Panel Committee of the Fourth Circuit
- Speaker, "Cybersecurity and Employee Privacy: Finding the Balance," Nexsen Pruet's Employment Law Certificate Series Webinar - December 11, 2019
- Speaker, Nexsen Pruet's Litigation CLE Series: Summary Judgement: Tips for the Side You Are On, February 19, 2019
- Speaker, Greenville Bar Association Year End CLE: So You've Been Hacked...Now What?, February 1, 2019
- Speaker, Nexsen Pruet's Title IX Breakfast Briefing, FERPA 101, March 2018
- Author, "Red light, Green Light: A Primer on Interlocutory Appeals," For the Defense, DRI, March 2016
- Author, "A Fresh New Face - Spring Cleaning for Legal Writers," For the Defense, DRI, April 2015
- Author, "Bridging the Finality Gap: Getting Appeals of the Merits and Attorneys' Fees on the Same Track," For the Defense, DRI, October 2014
- Law 360 Walmart Beats \$32M 'Backyard' Trademark Fine At 4th Circ., April 27, 2018
- Trademark News, 4th cir.: Walmart avoids \$32.5M trademark infringement judgment for sales of BACKYARD GRILL products, April 27, 2018

News

08.17.2021 | News from Nexsen Pruet
39 Nexsen Pruet Attorneys Listed in 2021 Legal Elite of South Carolina

Speaking Engagements

10.06.2020
Webinar: COVID-19 Litigation Part 3 - Flattening the Litigation Curve

05.22.2020
WEBINAR: Preparing For COVID-19 Litigation