

Privilege Newsletter: Fitting Consultants Within the Attorney-Client Privilege and Work Product Protection – Cyber Breach Consultants

Publications

April 18, 2022

By: David Greenwald, Alexander N. Ghantous, Allison M. Tjemslund, Andrew D. Whinery, Effiong K. Dampha, and Sol Gelsomino

Cyber attacks are increasingly frequent and virulent. An intruder may lurk in a company's computer system for years, or an attack may be sudden and catastrophic. Millions of people's personal information and companies' sensitive and proprietary data may be stolen and sold to the highest bidder. And disclosure of a breach ineluctably leads to class action and other civil litigation.

As soon as a breach is detected, companies typically engage outside counsel, who in turn hire third-party forensic computer consultants ("cyber consultants"). When is a cyber consultant's work protected by the attorney-client privilege and the work product doctrine?

Read the full newsletter [here](#).

Related Attorneys

Effiong Dampha

Associate

edampha@jenner.com

+1 213 239 2247

Sol Gelsomino

Associate

sgelsomino@jenner.com

+44 330 060 5421

Alexander Ghantous

Department Counsel

agbantous@jenner.com

+1 312 840 7227

David Greenwald

Partner
dgreenwald@jenner.com
+1 312 923 2774

Allison M. Tjemsland

Partner
atjemsland@jenner.com
+1 202 639 6028

Andrew D. Whinery

Associate
awhinery@jenner.com
+1 212 891 1613

Related Capabilities

Litigation

Related Locations

Chicago

London

Los Angeles

New York

Washington, DC

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

Stay Informed

