HUSCH BLACKWELL



Erik Dullea

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OVERVIEW

Erik helps organizations deploy and govern AI, comply with cybersecurity and data privacy requirements, and respond effectively when technology risk becomes an investigation, dispute, or data security incident.

With more than 30 years of government, legal, military, and business experience, Erik helps organizations manage the legal and operational risks created by artificial intelligence, cybersecurity threats, and the collection and use of data. His practice spans the full risk lifecycle: advising on the responsible deployment of AI and other emerging technologies; developing compliance and governance programs; responding to data security incidents; and defending clients in investigations, enforcement matters, litigation, and other regulatory inquiries.

Erik co-leads Husch Blackwell's AI, Cybersecurity, and Data Privacy practice areas. He works with legal, compliance, information security, technology, procurement, and executives to translate rapidly developing legal requirements into practical operating decisions across federal and state privacy laws, cybersecurity requirements, AI governance obligations, contractual risk, incident reporting, and regulatory expectations.

A significant part of Erik's practice involves helping clients develop and deploy AI responsibly, including AI governance structures, acceptable-use policies, internal controls, risk and readiness assessments, vendor due diligence, contracting requirements, employee training, and the legal review of proposed AI use cases. His work addresses personal and

Industries

Manufacturing
Technology
Transportation

Services

Artificial Intelligence
Aviation
Bid Protests
Data Privacy & Cybersecurity
Fintech
Government Contracts

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confidential data, intellectual property, model reliability, testing and validation, human oversight, privilege and work-product protection, cybersecurity, and third-party risk.

Erik also counsels clients on comprehensive cybersecurity and data privacy compliance, including federal and state requirements, breach-notification obligations, risk assessments, cross-border data transfers, and developing policies, procedures, contractual protections, consent frameworks, retention practices, data-subject rights processes, and technical and organizational safeguards. He assists organizations in highly regulated sectors, including financial services, healthcare, critical infrastructure, and the Defense Industrial Base. When a cyber incident, regulatory inquiry, or technology-related dispute occurs, he brings together incident-response experience and a litigator's perspective, advising on forensic investigations, containment and remediation, and communications with regulators, and representing clients facing privacy and cybersecurity claims, government investigations, and civil investigative demands.

Erik advises on AI and cybersecurity issues in government contracting, including the use of AI in work for government customers, protection of controlled information processed by AI systems, and allocation of responsibility among AI developers, operators, and contractors. He also counsels companies on emerging state data-broker and data-monetization laws, including whether their activities meet statutory definitions of a "data broker" and related registration, disclosure, and compliance obligations in states such as California, Texas, Oregon, and Vermont.

A retired Navy officer, Erik began his legal career handling government enforcement, and litigation matters in the aviation, mining, and maritime industries while serving in the Navy Reserve and working extensively with Navy intelligence. In 2018, he earned a master's degree in cybersecurity law and returned to public service in the Office of General Counsel at the National Security Agency, where he served as acting deputy associate general counsel for the NSA's cybersecurity practice group. Erik returned to Husch Blackwell in 2023.

Erik holds professional certifications in AI Governance, AI Strategy, Cyber Incident Planning and Response, and Information Privacy. With his credentials and experience in government, military, litigation, cybersecurity, privacy, and AI experience, he has the ability to approach technology matters from several directions at once—and he understands how regulators and government customers evaluate risk and how legal requirements must be converted into controls that business and technology teams can implement.

Experience

ARTIFICIAL INTELLIGENCE STRATEGY AND GOVERNANCE

- Advised organizations on developing and implementing AI governance programs, including governance structures, responsible-use principles, risk assessments, acceptable-use policies, internal controls, employee training, and processes for reviewing proposed AI use cases.

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Experience

- Developed and used AI governance self-assessments and vendor due-diligence frameworks to help clients evaluate organizational readiness, deployment risks, and third-party AI products.
- Counseled clients on AI vendor contracting, including data use and retention, confidentiality, intellectual property, closed-system requirements, indemnification, privacy, security, testing and validation, human oversight, and third-party risk.
- Reviewed and revised corporate AI acceptable-use policies following training and governance engagements.
- Advised clients on the relationship among AI governance, data privacy, cybersecurity, legal ethics, evidentiary obligations, privilege, work product, and supply-chain risk.
- Helped clients identify AI-related gaps in existing cybersecurity and enterprise risk assessments and develop coordinated legal and technical approaches to remediation.
- Collaborated with data scientists and AI advisory professionals to combine legal advice with operational AI-governance and deployment support.

CYBERSECURITY AND DATA PRIVACY COMPLIANCE

- Advised domestic and international organizations on federal and state privacy and data-protection requirements, including cross-border transfers, privacy notices, lawful processing, consent, individual rights, retention, breach notification, vendor contracting, and technical and organizational safeguards.
- Counseled regulated organizations on cybersecurity risk assessments, regulatory-examination readiness, remediation planning, and the presentation of risk findings to regulators and opposing counsel.
- Prepared and updated multistate analyses of cybersecurity, privacy, and data-breach notification requirements.

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Experience

- Advised organizations on online privacy and communications-law risks involving tracking technologies and claims under CIPA, VPPA, ECPA, and analogous state laws, including potential remediation measures.
- Counseled clients on data-broker and data-monetization issues, including registration, disclosure, deletion, and governance considerations under developing state regimes.

INVESTIGATIONS, ENFORCEMENT, LITIGATION, AND INCIDENT RESPONSE

- Served as breach counsel during ransomware, business email compromise, and other data security incidents, coordinating legal strategy during containment, forensic investigation, remediation, notification, and communications with insurers, regulators, law enforcement, customers, and other stakeholders.
- Advised clients on preserving evidence and investigating the operation and interaction of AI systems in anticipation of litigation and regulatory scrutiny.
- Defended organizations in privacy and technology-related litigation, including putative class actions concerning online tracking, electronic communications, and personal-data practices.
- Represented clients responding to government investigations, agency inquiries, audits, civil investigative demands, and whistleblower allegations involving cybersecurity, privacy, technology use, and regulatory compliance.
- Advised government contractors on cybersecurity-related False Claims Act exposure, CMMC requirements, audit risks, and remediation following government or whistleblower scrutiny.
- Counseled clients on remedial measures designed to reduce continuing exposure after incidents, demand letters, regulatory inquiries, and threatened litigation.

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Experience

GOVERNMENT CONTRACTING, AI, AND CYBERSECURITY

- Advised government contractors and technology providers on the use of AI in contract performance, including the treatment of government data, AI-system inventories, contractual representations, continuous compliance obligations, and the use of commercial AI products in regulated environments.
- Counseled clients on AI contract clauses and flow-down obligations affecting developers, operators, integrators, service providers, prime contractors, and subcontractors.
- Advised on AI-related data rights, intellectual property, trade secrets, export controls, cybersecurity, supply-chain requirements, organizational conflicts of interest, and vendor allocation of risk.
- Counseled Defense Industrial Base organizations on CMMC and other cybersecurity requirements and on the interaction between contract compliance, regulatory enforcement, audits, and potential False Claims Act exposure.
- Served as co-counsel in a government contractor bid protest before the Court of Federal Claims involving classified information.

DATA BROKER LAWS, DATA MONETIZATION, AND CONSUMER DATA REGULATION

- Advised technology companies, SaaS providers, and data-driven businesses regarding whether their operations fall within state definitions of a "data broker" under laws in California, Texas, Oregon, Vermont, and other jurisdictions.
- Analyzed the interaction between state data-broker statutes and evolving definitions of personal information, publicly available information, metadata, consumer data, and brokered data.
- Counseled clients on regulatory obligations arising from data collection, web-craping, analytics, licensing, sharing, and data-monetization business models.

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Experience

- Evaluated whether SaaS and technology platforms that facilitate customer-directed data collection constitute data brokers under state registration laws.
- Advised clients regarding registration, compliance, and reporting obligations imposed by state data-broker statutes and regulations.
- Represented a technology company before the California Privacy Protection Agency regarding whether the company qualified as a data broker, resulting in a determination that the company's business activities did not require registration under California's data-broker statute. The representation involved statutory interpretation, regulator communications, and analysis of the client's collection, processing, and data-sharing practices.

Recognition

- Defense Superior Service Medal for service as Commanding Officer at U.S. Pacific Command, Joint Intelligence Operations Center Reserve Unit, Minneapolis, MN, 2017
- Meritorious Service Medal for service as Commanding Officer at Office of Naval Intelligence Reserve Unit, Salt Lake City, UT, 2015
- Joint Service Commendation Medal for service on the military faculty at National Intelligence University, Washington, DC, 2014
- Meritorious Service Medal for service as Executive Officer and Senior Intelligence Officer at Naval Mining and Antisubmarine Warfare Command, 2011
- Joint Service Commendation Medal related to Operation Enduring Freedom, 2009
- Rocky Mountain Land Use Institute, Annual Prize for Academic Excellence in Land Use Planning, 2007

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Education

- J.D., University of Denver Sturm College of Law
  - Order of St. Ives
- M.S., University of Maryland Francis King Carey School of Law
  - Cybersecurity Law
- B.A., Cornell University

Admissions

- Colorado

Community Leadership

Since retiring from the Navy Reserve as a captain with 30 years of combined active and reserve experience, Erik is able to give more time to his pro bono practice. He assists local nonprofits like UAS Colorado and the Colorado Association of Black Professional Engineers and Scientists.

eCornell

Proud to be certified through
Cornell's AI Strategy program.

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