



Abraham J. Rein

Co-Chair, Information Privacy & Security Practice
Principal

Philadelphia, PA
Phone: 215-587-1057
Fax: 215-320-4194
arein@postschell.com

Created via [PDFShift](#)



Focuses on the intersection of technology and the law, advising clients on legal aspects of data security, social media compliance, electronic discovery, and the application of certain constitutional rights in a digital era.

Bio

Abraham J. Rein is a Principal in the Firm's Internal Investigations & White Collar Defense Group, Co-Chair of its Information Privacy & Security Group, and a member of the Firm's Diversity and Inclusion Committee. He focuses particularly on the intersection of technology and the law, advising clients on legal aspects of data security, social media compliance, electronic discovery, the application of certain constitutional rights in a digital era, and related topics. Mr. Rein, who co-founded and served as a managing partner of a web development firm prior to his career in law, brings a keen understanding of the internet and technology to his practice. Along with White Collar Practice Group Chair Ron Levine, Mr. Rein was part of the team that won the groundbreaking Facebook speech case, *United States v. Elonis*, in the Supreme Court of the United States.

Mr. Rein defends clients in a broad spectrum of industries, including health care, pharmaceutical, medical device, hospitality, insurance, financial services, securities, communications, defense, and transportation. His work focuses on representing individuals and businesses facing government scrutiny, ranging in scope from securities regulation to insider trading, tax, immigration, False Claims Act, and complex regulatory matters. He also assists companies with internal investigations, whether prompted by a government inquiry, a purported whistleblower, or otherwise.

Mr. Rein is an Adjunct Professor at Drexel University's Thomas R. Kline School of Law, teaching the course "Information Privacy Law" in the school's Master of Legal Studies concentration, and graduate certificate program, in Cybersecurity and Information Privacy Compliance.

In 2016, Mr. Rein was honored by the Pennsylvania Association of Criminal Defense Lawyers (PACDL) with the **Alan Jay Josel Advocacy Award** for his work on the *Elonis* case. In 2017 and 2018, he was named a Rising Star by Pennsylvania Super Lawyers in the category of Criminal Defense: White Collar. In 2019 and 2020, he was named a Pennsylvania Super Lawyer in the same category. *The Best Lawyers in America*® recognized Mr. Rein in its 2020 edition in the category of Criminal Defense: White-Collar. For information about these selections and an overview of common third-party publications, rankings, and lists methodologies, [click here](#).

Practices

- Internal Investigations & White Collar Defense
- Information Privacy and Security
- Health Care
- Health Care Litigation Services
- Health Care Regulatory Services
- Information Technology
- Hospitality and Retail
- Class Action Defense
- Commercial Litigation
- Coronavirus (COVID-19) Taskforce

Industries

- Health Care
- Energy and Utilities
- Hospitality
- Banking and Financial Services

Education

- J.D., New York University School of Law, 2007
- B.A. in Sociology, Bard College, 1996

Bar Memberships

- Pennsylvania

Court Admissions

- U.S. Supreme Court
- Supreme Court of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. Court of Appeals, Third Circuit

He dedicates a portion of his practice to helping the underserved. In addition to assisting in the representation of indigent defendants under the Criminal Justice Act, Mr. Rein has provided *pro bono* representation to Guantanamo Bay detainees (for which he was recognized, along with a group of Philadelphia attorneys, with the Federal Bar Association Criminal Law Committee's Clifford Scott Green Bill of Rights Award), homeless litigants, and prisoners pursuing civil rights claims.

Mr. Rein studied at New York University School of Law, where he graduated *cum laude* and served as Articles Editor for the *Journal of Legislation and Public Policy*. After law school, Mr. Rein spent three years as a litigator for a Philadelphia-based national law firm.

Created via [PDFShift](#)



Representative Cases

- Advised startup regarding compliance with contractual and regulatory cybersecurity obligations, under tight deadline and unique circumstances. **Result:** Compliant.
- Owner/executive of major construction company charged with tax and immigration-related crimes. **Result:** Probation.
- Hedge fund manager facing two separate Securities and Exchange Commission (SEC) investigations for insider trading. **Result:** No enforcement action.
- Hospital under criminal and civil investigation for False Claims Act violations. **Result:** Criminal declination, civil settlement.
- Multi-national pharmaceutical manufacturer under criminal and civil investigation for kickback and off-label marketing violations. **Result:** Global settlement in amount several multiples below that of comparable "pharma" cases.
- Conducted internal investigation for major financial institution regarding potential insider trading violations.
- Conducted internal investigation for not-for-profit organization regarding potential executive malfeasance.

Publications

- Subject Matter Expert Practitioner, "Pennsylvania Domestic Privacy Profile," *Bloomberg Law's Privacy & Data Security* (January 2018)
- Author, "Cloud Control: Data Security Hazards and How to Avoid Them," *The Legal Intelligencer's 2017 Cybersecurity Supplement* (June 6, 2017)
- Author, "The *Lambis* Case and the Future of 'Stingray' Evidence," *Law360* (August 19, 2016)
- Co-Author, "FCC Keeps Blocking Hospitality Wi-Fi Blocking," *Law360* (January 19, 2016)
- Co-Author, "SEC ALJs: An Enforcement Fast-Track is Hitting the Constitutional Skids," *White Collar Crime Prof Blog* (August 13, 2015)
- Co-Author, "What If the SEC's Administrative Law Judges Have Been Unconstitutionally Appointed?," *The Temple 10-Q* (July 15, 2015)
- Co-Author, "Best Practices for Mobile Device Data Security," *The Legal Intelligencer, Cybersecurity Supplement* (June 23, 2015)
- Co-Author, "The Appointment of SEC Administrative Law Judges: Constitutional Questions and Consequences for Enforcement Actions," *Bloomberg BNA's Securities Regulation & Law Report* (June 19, 2015)

- Co-Author, "Recent Developments in *FTC vs. Wyndham* Underscore Importance of Cybersecurity Vigilance in the Hospitality Industry," *Law360* (April 9, 2015)
- Co-Author, "Market Manipulation: Staying a Step Ahead," *Public Utilities Fortnightly* (April 2015)
- Co-Author, "Recent Developments in *FTC vs. Wyndham* Underscore Importance of Cybersecurity Vigilance in the Hospitality Industry," HospitalityLawyer's *CONVERGE* (April 3, 2015)
- Featured, "How Lawyers Prepare for Supreme Court and High-Profile Case," *Philadelphia Inquirer* (February 9, 2015)
- Co-Author, "In the Wake of *Southern Union*, Do Juries Need to Determine Criminal Restitution?," *The Legal Intelligencer* (December 27, 2012)
- Co-Author, "Protocol for Discovery of Electronic Data in Criminal Cases," *The Legal Intelligencer* (August 2012)
- "The Fragile Fifth Amendment: Compelling 'Decryption,'" *Business Crimes Bulletin* (June 2012)
- Co-Author, "The 6th Amendment Flexes Its Muscles: Change May Be Coming to Corporations' Fed. Sentencing," *The Legal Intelligencer* (April 2012)
- Co-Author, "Courts Show Continued Deference to Broad Electronic Searches," *The Legal Intelligencer* (December 21, 2011)
- "The Backup Tapes Quagmire: Preservation and Production in White-Collar Matters," *Business Crimes Bulletin* (June 2011)
- "Canada, Australia, and United Kingdom Adopt U.S.-Style Electronic Discovery," *Privacy and Data Security Journal* (June 2009)
- "Zubulake Revisited: Pension Committee Decision Offers Spoliation Guidance," *DELVACCA Newsletter* (2nd Quarter 2010)

Created via [PDFShift](#)



Speaking Engagements

- Co-Presenter, "Cybersecurity Risks and Best Practices in Commercial Transportation," Pennsylvania Motor Truck Association (PMTA) Webinar (February 28, 2019)
- Moderator, "Location Tracking, the CLOUD Act, and More: A Year in the Life of the Fourth Amendment," Pennsylvania Association of Criminal Defense Lawyers' (PACDL) White Collar Practice Conference, Philadelphia, PA (November 16, 2018)
- Moderator, "Data Security Issues," Penn Intellectual Property Group (PIPG) 2018 Symposium, "Open Source's Impact on Innovation," Philadelphia, PA (March 27, 2018)
- Panelist, "Stored Communications Act and Cell Site Technology: Navigating the Law in an Evolving Landscape," Federal Criminal Law Committee (FCLC) for the Eastern District of Pennsylvania's 2017 Annual Meeting, Philadelphia, PA (December 7, 2017)
- Panelist, "Gas Cybersecurity Panel," Pennsylvania Bar Institute's (PBI) Public Utility Law Conference, Harrisburg, PA (June 1, 2017)
- Co-Presenter, "Social Media & E-Discovery: Laws and Ethics," Post & Schell and iDiscovery Solutions CLE Seminar, Philadelphia, PA (May 4, 2017)
- Panelist, "Regulatory Enforcement and Regulator's Perspectives," Today's General Counsel's Data Privacy and Cybersecurity Forum, Boston, MA (April 26, 2017)

- Panelist, "Avoiding Lightning in the Cloud and Addressing New Threats," and "Regulatory Enforcement and Regulator's Perspectives," *Today's General Counsel's* Data Privacy and Cybersecurity Forum, San Francisco, CA (April 6-7, 2017)
- Speaker, "Outsourcing Big Data to the Cloud," *Today's General Counsel's* "The Exchange Data Privacy and Cybersecurity Forum," Washington, D.C. (November 16, 2016)
- Panelist, "Evolving E-Discovery: The Expanding Universe of ESI & The Risk of Spoliation," *The Legal Intelligence's* Litigation Summit 2016, Philadelphia (September 21, 2016)
- Guest Lecturer, Drexel University, Undergraduate Honors Seminar: Social Media and the Law (February 24, 2016)
- Guest Lecturer, Drexel University Thomas R. Kline School of Law, Practical Media Law, segment on "Special Problems of Anonymous Online Speech" (October 7, 2015)
- Featured on *WHYY's "Radio Times"*, "The *Elonis* ruling: Social media, language and the Supreme Court," (June 3, 2015)
- Speaker, "Keep Calm and Carry On: Corporate Management in the Social Media Age," Association of Corporate Counsel (ACC) of Central Pennsylvania CLE Seminar, Hershey, PA (May 14, 2015)
- Panelist, "Hip-Hop and the Law," Drexel University Thomas R. Kline School of Law's Diversity Awareness Week (March 2, 2015)
- Speaker, "1st Amendment Meets Facebook at the Supreme Court: *US v. Elonis*," Federal Bar Association (FBA), Criminal Law Committee presentation (February 26, 2015)
- Panelist, "E-Discovery in Criminal Cases: New DOJ-Defender Protocol, Old Problems?," (June 14, 2012) (with Federal District Judge Hon. Mitchell Goldberg and First Assistant U.S. Attorney Louis D. Lappen)
- Panelist, "Investigations & Discovery in the Digital Age: Preservation, Production, Privilege and Beyond," Pennsylvania Association of Criminal Defense Lawyers (PACDL) (November 11, 2011) (with Federal District Judge Hon. Lee Rosenthal and Federal Magistrate Judge Hon. John Facciola)

Created via [PDFShift](#)



Affiliations

- American Bar Association, Section of Litigation
- Pennsylvania Bar Association
- Philadelphia Bar Association
- Federal Bar Association Criminal Law Committee