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Rising Star: BakerHostetler's Sarah Ballard

By **Allison Grande**

Law360 (July 25, 2025, 4:00 PM EDT) -- Sarah Ballard of BakerHostetler has helped an Arizona medical center shake negligence claims brought in the wake of a ransomware attack and has been on the front lines of the recent explosion of online tracking litigation, earning her a spot among the cybersecurity and privacy law practitioners under age 40 honored by Law360 as Rising Stars.

The biggest cases of her career so far:

Ballard and her team at BakerHostetler in November secured the dismissal of a consolidated proposed class action accusing Yuma Regional Health Center in Yuma, Arizona, of failing to maintain adequate data security measures. The suit alleged these shortcomings led to a 2022 ransomware attack that compromised roughly 700,000 current and former patients' personal information and protected health data.

The Arizona federal court tossed the plaintiffs' negligence, breach of implied contract, unjust enrichment and Arizona Consumer Fraud Act claims without prejudice, and their negligence per se allegation for good.

The court agreed with Yuma Regional that the plaintiffs had failed to adequately plead cognizable damages, despite asserting harms such as the diminution in the value of their information, out-of-pocket loss for the purchase of credit monitoring, emotional distress, publication of their information on the dark web, increased spam communications and risk of fraud, and harm from the delay in notice.

Aside from serving as lead associate and being responsible for drafting a motion to dismiss in that matter, Ballard has also worked closely with her colleagues in one of the matters that has been at the center of the recent explosion in website wiretapping litigation, Popa v. Harriet Carter Gifts Inc.

Ballard joined the dispute just as her team in June 2021 won the dismissal of claims that Harriet Carter had violated Pennsylvania's anti-wiretapping law by deploying software developed by fellow defendant NaviStone Inc. to



Sarah Ballard
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Age: 36
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Position: Associate
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First job after law school: Law clerk to U.S. District Judge Frederick J. Scullin Jr. of the Northern District of New York

track website visitors' activities.

The Third Circuit revived the case the following year, finding there's no exemption to liability under state law for companies that are direct parties to electronic communications, and that websites can't track users' scrolling, typing and other interactions with the site without first obtaining their explicit approval.

That ruling, as widely expected, helped set off a flood of litigation both in Pennsylvania and nationwide alleging wiretap claims for routine online browsing activity against a wide range of companies.

However, Ballard and her team on remand won a second round of summary judgment in March, with the district court concluding that websites that disclose third-party data collection in privacy statements that a "reasonably prudent person" could see can't be held liable for violations of the Pennsylvania wiretap law. Plaintiff Ashley Popa has again appealed that determination to the Third Circuit.

Ballard said this matter has been challenging for several reasons, including due to its technically complex subject matter and because the dispute marked "the first case where I defended and took expert depositions."

"I also really enjoyed preparing for appellate argument with our team, though I didn't do the argument on appeal, and, as is the case with a lot of the matters we handle in data privacy litigation, there is not a lot of clear-cut case law, if any exists, at all," she said.

Other notable cases:

Ballard flagged two recent cases involving issues of preemption among the most interesting of her career so far.

In one, Ballard and her team in March achieved the full dismissal of claims that Southwest Airlines and Hughes Network Systems LLC violated California's "Yelp Law" by prohibiting companies from suppressing consumer reviews, on the grounds that the allegations were preempted under the Airline Deregulation Act because they were "related to" airline "services" under the law.

"I had to do a deep dive not only into the relatively new California Yelp law, but also into ADA preemption, which was super interesting," Ballard said.

She and her colleagues are also currently handling a data breach class action against a Native American tribe, which Ballard noted has allowed her to learn more about tribal sovereign immunity; tribal courts and the scope of their jurisdiction, rules and regulations; and the tribal exhaustion doctrine in the context of a data breach class action.

Outside the cybersecurity and data privacy arena, Ballard and a colleague previously worked to win asylum for four Cubans seeking shelter in the United States. She described that as one of her proudest moments as an attorney.

"We had three cases — one involving a couple, and two others involving two individuals — that we had to argue in front of an [administrative law judge] in a shipping container on the border in Laredo, Texas," Ballard recalled. "We found out that the couple was pregnant after they were granted asylum. [Those cases] meant a lot to me."

What motivates her:

Ballard draws inspiration from two major sources: her family and the team she works with at BakerHostetler.

She said her parents worked "really hard" her entire life and credits them with "instilling that same lesson" in her. Her farther is a retired U.S. Air Force major and her mother a retired U.S. Army sergeant first class.

"As a kid, we were up at 5:30 a.m. to drop me off at day care while my parents started physical training at 6:30 a.m.," Ballard said. "I had to learn at a very young age to work hard and fend for myself — I grew up an only child — and wanted to make my parents proud."

Her colleagues at BakerHostelter also consistently motivate her to work hard, Ballard said.

"Everyone is doing so much all the time, including cutting-edge work," she added.

Why she's a cybersecurity and privacy attorney:

Ballard received her first exposure to cybersecurity and privacy law at the firm she worked at before joining BakerHostetler in April 2021. She represented a client in an investigation launched by the U.S. Securities and Exchange Commission following a cybersecurity interest that affected that client.

That experience "really piqued my interest in the field," Ballard recalled, adding that she interviewed with her current law firm's data privacy litigation team shortly thereafter.

"What I really like about this job is that you are always learning something new, including, technically speaking, like how session replay or other technology works, what a Meta pixel is and what it does, or how threat actors gain access to a company's network despite seemingly having all the right barriers in place, and in litigation, where you have to get creative in defending cases where there is relatively undeveloped case law," she said.

Ballard noted she also particularly enjoys the challenges of working on sprawling class actions and multidistrict litigation, "where you really have to think strategically about how you want to approach the case procedurally from the get-go," taking into account factors such as "what jurisdiction is best for my client and how do we get there; are we better off alone, consolidated or coordinated in an MDL with the rest of the pack; and what are the risks involved with each of our choices."

How the cybersecurity and privacy practice will change in the next 10 years:

Ballard predicted that the current trend of plaintiffs' attorneys attempting to "carve out new, creative causes of action against companies in the privacy space" will only accelerate, especially "as new data privacy laws and regulations continue to come out."

More data breach class actions may also get to the class certification stage or even trial, as these disputes proliferate and become increasingly harder to settle "as more plaintiffs' attorneys enter the space and the cost of settlements continues to rise," she said.

"Relatedly, even smaller data breaches are increasingly seeing multiple lawsuits filed, which I think will continue to be a trend. And with things like AI and ChatGPT becoming increasingly more popular, I think we're going to see a lot more lawsuits in this space," she added. "We are already seeing a ton [of these AI-related disputes], which I think will only increase as companies start to use these tools more widely."

--As told to Allison Grande. Editing by Karin Roberts.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2025 Rising Stars winners after reviewing more than 1,100 submissions. Attorneys had to be under 40 as of April 30, 2025, to be eligible for this year's award.

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