

EVENT RECAP: THE NOT-SO-AMAZING RACE RELATIONS: A NIGHT WITH PITTSBURGH AUTHOR DAMON YOUNG

By Amanda Thomas

On Feb February 4, 2021, the Allegheny County Bar Association Young Lawyers Division's (YLD) Ad Hoc Anti-Racism Committee welcomed Pittsburgh author Damon Young to speak about his recently published memoir, "What Doesn't Kill You Makes You Blacker: A Memoir in Essays" and about race, identity and belonging in Pittsburgh and in America as a whole. "What Doesn't Kill You Makes You Blacker" tragicomically explores Young's efforts to survive while battling and making sense of his various neuroses as a Black man in America. Young's memoir received national recognition when it won the Barnes & Noble's 2019 Discover Award, was longlisted for the PEN America Diamonstein-Spielvogel Award, was nominated for both an NAACP Image Award and a Hurston/Wright Legacy Award and was a Krause Essay Prize nominee. Along with being a published author, Young is also the co-founder



Aleksandra Kocelko @akocelko · Feb 4

Huge thank you to the #ACBAYLD for bringing in @DamonYoungVSB tonight. Such a phenomenal program. @AlleghenyCoBar



The Young Lawyers Division's Ad Hoc Anti-Racism Committee hosted a night with Pittsburgh writer, critic, humorist and satirist Damon Young on Feb. 4 as he spoke about his debut memoir "What Doesn't Kill You Makes You Blacker: A Memoir In Essays." The book is a tragicomic exploration of the angsts, anxieties and absurdities of existing while Black in America – and specifically – in Pittsburgh.

and editor-in-chief of the cultural criticism website VerySmartBrothas, which received national attention the day before the YLD program when President Obama joined its virtual

book club hosted with Mahogany-Books. Young is also a contributing opinion writer for the New York Times, a columnist for GQ and a Senior Editor of The Root Magazine. We also partnered with Pittsburgh's only Black-owned independent bookstore, The Tiny Bookstore, for attendees to order Young's memoir to read prior to the program.

During the program, Maggie Prescott, Treasurer of the YLD and Ad

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2020 CHILDREN'S GIFT DRIVE AND HOLIDAY PARTY

By Rebecca Johnson



A global pandemic was no match for the Young Lawyers Division's (YLD's) largest public service event of the year – the Children's Gift Drive and Holiday Party. With the support of the YLD's Public Service Committee, the 2020 co-chairs, Alexandria Popovnak, Jesse Exilus, and myself, started work in September to turn the event, which provides thousands of personalized gifts to local children, entirely virtual.

Although the pandemic necessitated changes to the long-standing annual event, we focused on ensuring that the core of the event remained intact: that every child from the ten participating organizations received gifts selected specifically for them. In 2020, as in previous years, the Gift Drive kicked off with the organizations gathering wish lists from each of the children in their programs. However, that is where the similarities ended. In a normal year, the wish lists would have been provided to volunteers, who would have shopped for the items and dropped them off at the Koppers Building. Then, YLD volunteers would have gathered to wrap all of the gifts

before driving them to the organizations for a holiday party complete with treats and an appearance from Santa Claus.

Because COVID-19 rendered in-person events, like the wrapping event and the Holiday Party itself, impossible and because the YLD wanted to provide shoppers with the ability to shop safely from home, this year's event relied heavily on Amazon registries. We chose to utilize Amazon registries in part because many people have a familiarity with the site. We wanted the volunteers willing to donate their time and money to have as positive and stress-free an experience as possible given the newness of the virtual format. Using Amazon registries "was a way for us to keep things virtual, to encompass a broad spectrum of need, as well as allow ease for payment, shipping, and delivery when asking others to get involved," said Co-Chair Alexandria Popovnak.

The co-chairs, along with YLD and Pitt Law student volunteers, spent hundreds of hours converting the

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Hoc Anti-Racism Committee member and Amanda Thomas, YLD Chair, co-moderated a discussion with Young. During the discussion, Young discussed topics which included his advice on getting comfortable with having uncomfortable conversations about racism, how the phrase “cancel culture” can be used as a diversion from accountability, racism as not just a black and white issue and how Pittsburgh remains segregated though it is touted as one of the nation’s most livable cities. While the topics addressed were serious in nature, Young leaned into his humor and satirical style when addressing these issues, causing many laugh-out-loud moments. In response to Young’s discussion, Maggie Prescott stated: “Just as I hoped, Damon delivered many pithy one-liners that were simultaneously thought-provoking and laugh-out-loud funny. While conversations about racial inequity and racism are deeply uncomfortable, Damon demonstrated with aplomb that these conversations are worth having.”

Following the moderated segment, the program opened to a live question and answer session from attendees. Among the topics asked of Young, he spoke about what Pittsburgh can do to stop the emigration of talented individuals in the Black community, his writing inspirations, a deep dive into neighborhood segregation in Pittsburgh and new projects in the works, including new book projects and a podcast with the Crooked Media group.

The program was planned by the YLD Ad Hoc Anti-Racism Committee and as part of my “YLD Chair Project.”

The Committee was formed in response to recent events, including the deaths of George Floyd, Breonna Taylor, Antwan Rose, Jr. and countless others, which have again highlighted the long standing issues of systemic racism, oppression and disenfranchisement of Black people and persons of color in America. As lawyers, we are uniquely positioned to enact changes within the system that are necessary to stop the unjust cycle of systemic racism. The Committee’s mission is to educate our members and the broader community regarding the history of systemic racism, as well as our collective responsibility to take action by being vocally and actively anti-racist. Our goal is to make real progress toward breaking the cycle of systemic racism by engaging actively in anti-racist dialogue, organizing opportunities to discuss these issues openly, providing a platform for diverse individuals to share their personal experiences in order to both empower and educate, and creating an environment of allyship. Ben Gobel, the Ad-Hoc-Anti-Racism Committee co-chair, stated: “One of the missions of the committee is to educate regarding issues of systemic racism. We felt that giving members an opportunity to hear Damon Young talk about issues of race and racism – particularly in the context of Pittsburgh and the incredible amount of work that still needs to be done here – would be worthwhile. Mr. Young was excellent, and we feel extremely fortunate to have had the opportunity to hear from him.” Maggie Prescott added: “As attorneys, we have incredible and unparalleled opportunities to make systemic changes to our society, and it is the YLD Ad

Hoc Anti-Racism Committee’s hope that the attendees from the program walked away with renewed aspirations to do so.”

The program was very favorably received by those who attended, with many attendees advocating for similar programming. We hope to have Young back to speak to our group in the future and in the meantime, the YLD Ad Hoc Anti-Racism Committee is planning future events to address racism in the legal and broader community, which will be advertised in the YLD Sidebar. ■

See more screenshots from the event on page 7.



Amanda Thomas is the YLD Chair and works as a Law Clerk in the Western District of Pennsylvania.

SUBMIT AN ARTICLE FOR POINT OF LAW

THE YLD’S ABA AWARD-WINNING NEWSLETTER

YLD members are encouraged to write about the practice of law or any substantive legal issue of interest.

Additionally, writers are encouraged to write responses to any article appearing in this issue.

Featured authors will have their article – up to 1,000 words long – published along with a brief bio.

Articles and inquiries may be submitted to YLDCommunications@gmail.com.

YLD LAUNCHES NEW WEBSITE

By Zachary N. Gordon

As Co-Chair of the Young Lawyers Division Communications Committee, I am excited to announce the YLD's new website. One immediate change is that the website can be easily accessed from www.acbayld.org. In the past, it would take multiple clicks to find the YLD's page on the main Allegheny County Bar Association website.

Another exciting feature for the YLD website is the new calendar page. This page focuses solely on YLD events and programming. The Allegheny County Bar Association Calendar page is a fantastic resource for all upcoming events, but with so many different programs being organized by the amazing variety of ACBA committees, sections, and divisions, it can be hard to quickly find YLD specific events. The new calendar page resolves this issue by listing only YLD specific programs. The YLD Communications Committee thanks member Ian Everhart for his diligent efforts making sure the calendar stays up-to date.

The Calendar page is a great overview of YLD programming, but if you want to attend a YLD program that requires registration such as most social and networking events as well as CLEs, then you do still need to remember to register for that program on the ACBA website. The Calendar page makes it easy to register, because you can click on the program listing on the calendar to bring up a description of the program and the link to the ACBA registration page for it.

The YLD's website also had more details about our Committees with a brief description so you can find the Committee that matches your interest. The Committee page also allows you



to connect via email with committee chairs. You can see the next committee meeting on the calendar page and view meeting details, such as Zoom and phone details to join remotely, and location information when in-person meeting eventually returns. You never need to register to attend YLD committee meeting, and all of our committees love seeing new faces so feel free to join if you are available.

Over the years, the YLD has published many great resources and the website includes links to most of these resources that you can access through the resource tab. Some examples include a new attorney guide to a handbook for how to work on programming for the YLD. In addition, you are reading this article in the YLD's ABA award winning newsletter, Point of Law and the resource tab includes a link to the current issue as well as many past issues of Point of Law. Use the inspiration of the past articles to consider submitting an article of your own.

The Communications Committee thanks ACBA staff member Ashely Rice for her tireless efforts to assist our many rounds of revisions to the website. We could not have launched this website

without her. The Communication Committee also thanks James Baker, Sarah Steers, Taylor Gillian, Stephen Matvey, Amanda Thomas, Andrew Rothery, and Michael Hutter for spending their time reviewing the website and sending their feedback to help us improve the website.

While many members of the Communications Committee and YLD have spent time making the website, we encourage anyone to share any issues with the YLD website or any suggestions to improve the website by emailing the Communications Committee's Gmail account, yldcommunications@gmail.com. We would also love to see you join us to discuss your ideas about the website, the YLD's social media accounts (on Facebook and Instagram), and/or Point of Law at the next Communications Committee meeting. ■



Zachary N. Gordon is an associate attorney at Del Sole Cavanaugh Stroyd LLC. His practice is focused on litigation, including commercial, personal injury, and appellate litigation. He also regularly counsels clients on the Right-to-Know-Law, FOIA, and First Amendment rights.

ZOOM TO IMPROVE SECURITY AMID FTC SETTLEMENT

By Anokhy Desai

2020 was, among other things, the year of video calls. The virtual meetings, hearings, depositions, and even happy hours we attended all took place with the help of videoconferencing software like Zoom. It comes as no surprise, then, that Zoom's user base grew from 10 million to 300 million daily meeting participants in less than a year. Jacob Kastrenakes, *Zoom Saw a Huge Increase in Subscribers - And Revenue - Thanks to the Pandemic*, THE VERGE (Jun. 2, 2020). With businesses and educational institutions relying so heavily on Zoom this past year, users might expect that Zoom has improved its hosting capabilities and fleshed out its cybersecurity frameworks and policies. The FTC's complaint and ultimate settlement indicates otherwise.

Zoom first came under public scrutiny when a researcher discovered that the Zoom installation software created a local web server on users' Apple computers. Lily Hay Newman, *A Zoom Flaw Gives Hackers Easy Access to Your Webcam*, WIRED (July 9, 2019). Months later, technologists found that despite Zoom's claim of providing end-to-end encryption on its meetings, it instead uses transport encryption, in which the content of a meeting is inaccessible to hackers or those capturing your WiFi data, but is not private from the company itself. Micah Lee & Yael Grauer, *Zoom Meetings Aren't End-To-End Encrypted, Despite Misleading Marketing*, THE INTERCEPT (Mar. 31, 2020). While encrypting data in either form is a step in the right direction, the public claims that sensitive or classified information shared in a Zoom meeting would not be accessible to non-participants was,



and still is, incorrect. Zoom's platform also advertised 256-bit encryption instead of its actual 128-bit encryption, a difference in scale that could lead to a data breach. FTC, *FTC Requires Zoom to Enhance its Security Practices as Part of Settlement* (Nov. 9, 2020).

The software came under fire again after multiple public instances of Zoombombing, in which an individual would join unprotected Zoom calls and use the screen-sharing feature to interrupt and potentially shut down meetings. Taylor Lorenz, *'Zoombombing': When Video Conferences Go Wrong*, N.Y. TIMES (Mar. 20, 2020). Not even large companies with established cybersecurity practices were spared this kind of hijacking; in March, Chipotle ended a public Zoom meeting featuring a live musician early after one attendee streamed pornography.

After several Attorneys General, including Pennsylvania's Josh Shapiro, issued warnings about Zoombombings, New York AG Letitia James announced an agreement with Zoom that the

company would improve its encryption and security programs, provide additional privacy controls for free accounts and for students using K-12 accounts, and take further steps to protect its users from such hijacking. N.Y. Att'y Gen., *Attorney General James Secures New Protections, Security Safeguards for All Zoom Users* (May 7, 2020).

This May 2020 agreement did not address several problems Zoom had outside of hijacking incidents, however. In its 2020 complaint, the FTC alleged that Zoom misled users by promoting its use of end-to-end, 256-bit encryption, when it provided neither. Customers were also told they could store recorded meetings on a cloud server and benefit from immediate encryption, despite those recordings being allegedly stored without any encryption for up to 60 days. The complaint also covered the issue with Apple downloads, and alleged that

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children's wish lists into Amazon registries, which were then distributed to the volunteer shoppers. The shoppers made their selections from the registries, and the gifts, including toys and clothes, were shipped directly to the shelters. After all of the gifts were purchased, volunteers purchased treats, including cookies, granola bars, hot chocolate, and juice, and activities, such as gingerbread house kits, so the programs could hold their own safe and socially distanced holiday parties.

Despite the challenges of COVID-19, financial and otherwise, the turnout from our legal community was outstanding. Ultimately, 2020's virtual Gift Drive featured more shoppers than 2019's in-person event. More than 600 people, from more than 26 law firms, government agencies, corporations, and public interest organizations, volunteered to buy gifts. Together, those 600+ shoppers bought individualized presents for more than 400 local children, from newborns to 17-year-olds, at participating organizations. 2020's participating organizations included Alle-Kiski Area Hope Center, Girls Hope of Pittsburgh, Family Resources, Latino Family Center, Salvation Army, Sojourner House, Center for Victims, Womanspace East, Women's Center & Shelter of Greater Pittsburgh, and Sojourner Transitions.

Turning such a large event with so many moving parts virtual did not come without some growing pains. While registries were set up to send the gifts directly to the shelters, there were instances of shoppers accidentally selecting their own shipping address rather than that of the shelter. Some

gifts could not be delivered because they arrived on a day when the organization was closed for business. Lastly, unlike when toys are sold out in a store and the shopper can simply select something else, toys rapidly becoming "sold out" on Amazon during the busy holiday online shopping season led to some last-minute scrambling. Despite the challenges, the outcome was well worth the effort. As Co-Chair Jesse Exilus said, "My hope is that, even with everything in flux, the children [felt] that 'Santa' [was] still there for them even through a pandemic."

Everyone hopes the in-person Gift Drive and Holiday Party will return in 2021. However, if that is not possible, the YLD will be ready to virtually bring presents, treats, and holiday cheer to the children in need in our community. ■



Rebecca Johnson is an associate at Pietragallo Gordon Alfano Bosick & Raspanti, where she focuses her practice on commercial litigation, construction, and insurance coverage.

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ZOOM TO IMPROVE SECURITY AMID FTC SETTLEMENT

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Zoom's July 2018 software update release notes were deceptive because they did not inform users that the web server would be installed on their computers, circumvent a Safari browser safeguard, and remain installed on the user's computer even after Zoom is deleted. *FTC* (Nov. 9, 2020). Overall, the *FTC* alleged that Zoom's advertisement of security features provided users a false sense of security and led them to behave as though their data was more secure than it actually was.

The *FTC*'s consent order requires Zoom to stop misrepresenting its application's security and privacy features and to establish a "comprehensive information security program" that involves regular security reviews and software updates. Zoom would also need to undergo biannual third party security assessments that would be subject to *FTC* approval. The proposed decree will remain in effect for 20 years.

As the start of the new year brings the promise of a vaccine and likely more in-person meetings, we may soon rely less on videoconferencing software, and especially on Zoom. Until then, the *FTC* consent order should help keep our remote meetings private, secure, and safe. ■



Anokhy Desai is a law student at the University of Pittsburgh and information security policy graduate student at Carnegie Mellon University. She focuses on data privacy and cybersecurity, and can be contacted at a.desai@pitt.edu.

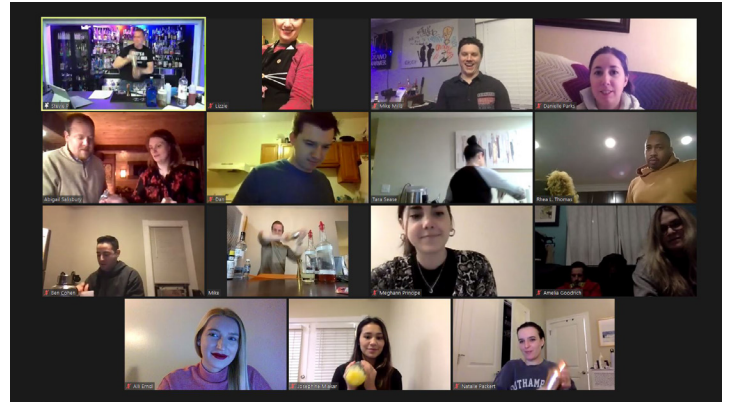
VISIT THE YLD TODAY AT ACBAYLD.ORG.

RECENT YLD EVENTS

DAMON YOUNG EVENT



YLD VALENTINE'S DAY MIXOLOGY CLASS



Members of the Young Lawyers Division learned to make custom Valentine's Day drinks virtually with the pros at Pittsburgh Mixology on Feb. 10.

ADMISSIONS CEREMONY



Chief District Judge of the U.S. District Court for the Western District of Pennsylvania Mark Hornak conducted the oath at the Admissions Ceremony that took place virtually on Feb. 25. Congratulations new lawyers!

BLACK HISTORY MONTH CELEBRATION



Jesse Exilus accepted the Homer S. Brown Division's Young Leader Award during the ACBA's annual Black History Month Celebration on Feb. 23.