

## Former Legal Secretary Files Biometric Privacy Lawsuit Against Chicago Law Firm



Nancy Gagen, a former legal secretary who worked at Mandell Menkes from 2006 to 2019, has initiated legal action against the Chicago-based law firm. In an official complaint filed on August 18th in Cook County Circuit Court, Gagen alleges that the firm unlawfully obtained and stored her biometric information, specifically her fingerprints, within their time clock system. The lawsuit is grounded in Illinois' Biometric Information Privacy Act (BIPA), which strictly regulates biometric data collection, usage, and disclosure.

According to Gagen's claims, Mandell Menkes introduced a Fingertec Biometric device in 2015, which required employees, including Gagen, to scan their right index fingers at the commencement and conclusion of each shift, as well as when departing and returning from lunch breaks. These scans were directly linked to the Fingertec time clock system.

The core allegation of the lawsuit is that the law firm failed to adhere to BIPA's regulations. The Act, passed in 2008, stipulates that organizations must provide clear and transparent explanations for the collection and storage of biometric data. However, Gagen asserts that she was never informed about the purpose, duration, or specific intentions behind the firm's acquisition and usage of her biometric identifiers and information. Furthermore, Mandell Menkes allegedly neglected to inform her about their biometric data retention policies or whether her information would be permanently deleted.

An additional point of contention raised in the lawsuit is that Gagen claims she never granted written consent for her biometric information to be obtained. The absence of explicit consent raises concerns about compliance with BIPA's requirements.

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Gagen's legal action highlights the cautious approach that BIPA adopts regarding biometric data and technology. The Act acknowledges the potential unknown risks associated with biometric data usage, emphasizing that individuals whose biometric information is collected unlawfully face heightened risks of future harm.

The lawsuit seeks to hold Mandell Menkes accountable for its alleged violation of BIPA's provisions. Gagen's complaint argues that this legal action represents her sole opportunity to seek compensation for the firm's infringement on her privacy rights. As technology continues to evolve, the long-term implications of unauthorized biometric data collection remain a central concern for the case.

In response to the lawsuit, neither Gagen's legal representation nor Mandell Menkes have provided comments, as reported by Law.com. The case shines a spotlight on the evolving landscape of biometric privacy rights, highlighting the importance of transparent communication between organizations and their employees regarding the collection and usage of sensitive personal data.

As technology advances and biometric data becomes more integrated into various systems, the legal and ethical dimensions surrounding its use are gaining prominence. Gagen's legal action underscores the need for companies to navigate this landscape carefully, ensuring compliance with legislation designed to protect individuals' biometric privacy.

The lawsuit by former legal secretary Nancy Gagen against Mandell Menkes alleges that the law firm violated BIPA regulations by collecting and storing her fingerprints without proper consent or transparency. The case sheds light on the broader challenges surrounding biometric data privacy and the legal responsibilities of organizations in handling such sensitive information.

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