

Clifford F. Blair

Shareholder

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Practice Areas

International
Cybersecurity and Data Privacy
International Dispute Resolution
International Law: Trade and Taxation
Export Controls, Sanctions, and Compliance

Languages

Russian

Clifford Blair is a member of the firm's International section and leads the Cybersecurity and Data Privacy practice. He advises domestic and foreign businesses and non-profit organizations about all aspects of international business and trade, regulatory compliance, and data privacy issues.

His practice concentrates on international commercial and regulatory law and helping companies navigate foreign legal issues when expanding operations globally by registering foreign branches, advising on international contracts and regulatory compliance, managing foreign legal counsel and overseas litigation, and handling relations with foreign governments.

Mr. Blair has particular expertise in data privacy with extensive experience with international data privacy compliance matters, having advised on compliance in over 100 countries. He has significant experience with data-breach responses, including global breaches affecting virtually every jurisdiction in the world and requiring multiple regulator and data subject notifications.

He is the head of the firm's Middle East desk, assisting clients with operations throughout North Africa, the Levant, and Persian Gulf, including establishing new legal entities, government relations, employment of expatriates and visa/residency issues, financing restrictions, and compliance reviews for new business lines and programs.

Mr. Blair previously served as in-house counsel for the International Monetary Fund (the world's largest inter-governmental financial institution) and has extensive experience in government relations based on his meetings with officials from five continents. He also has significant experience with international arbitration and transnational litigation issues, having worked as a litigator in New York City representing clients from around the world in state and federal court and in arbitration as well as counseling clients regarding litigation liability. He has also worked at legal nonprofits in Hungary and Ukraine.

Experience

International Business, Trade, and Compliance

- Advises clients on import regulations, including establishing country of origin and tariff schedule classification, and impact of additional Chinese tariffs.
- Helps exporters comply with US export controls for goods and software.

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Experience Continued

- Assists companies in establishing and registering foreign branches and subsidiaries.
- Advises on tax implications of cross-border transactions.
- Counsels clients regarding asset control regulations (OFAC) and compliance with sanctions regimes (including US, EU, UN).
- Advises on compliance with anti-bribery laws (FCPA, UK Anti-Bribery Act) and anti-boycott regulations.
- Identifies and supervises foreign legal counsel and manages overseas litigation.
- Reviews all types of contracts, including purchase of goods and services, software as a service (SaaS), purchase and sale, and real estate agreements.
- Expert in foreign exchange control policy; advised numerous countries on their regulations' compliance with international treaty obligations.

Data Privacy

- Advises on compliance with various data privacy regimes, including the EU General Data Protection Regulation (GDPR), the California Consumer Privacy Act, and the Utah Consumer Privacy Act. Has counseled with clients on compliance with local data privacy regulations in Latin America, Europe, Africa, and Asia.
- Develops privacy policies and notices for companies, corporate procedures to ensure compliance with required regulations, and reviews third-party vendor contracts for data privacy compliance.
- Advises clients on data-breach response, including coordination with forensic investigators and law enforcement, determining notification obligations in all U.S. states and international jurisdictions, developing communications strategies, and interfacing with regulators around the world.
- Helps clients respond to regulatory inquiries and investigations, including U.S. federal and state authorities and regulators from international jurisdictions.
- Assists with structuring international transfers of personal information by advising on various transfer mechanisms under different national privacy laws.
- Assists clients with responding to data subject rights requests, including deletion and access requests, and involving sensitive data or exceptions to data subject rights.
- Helps clients ensure their websites are compliant and mitigate litigation risks.

Government Relations/Sovereign Representation

- Legal advisor for multibillion-dollar lending facilities from international financial institution (IFI) to Iraqi and Ecuadorian governments.

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Experience Continued

- Lead negotiator for financial framework partnership agreement with the European Union under the 2018 EU Financial Regulation.
- Expertise in issues relating to sovereign debt restructuring, including collective action clauses. Legal advisor to IFI for issues relating to sovereign debt restructuring in Ecuador.
- Experience with US sovereign immunities (FSIA), including representing state-owned enterprises in US litigation.
- Lead attorney for treaty accession negotiations for two countries.

International Arbitration and Litigation

- Drafted memorial and participated in hearing for ICC-ICA arbitration of transnational construction dispute, which resulted in a merits victory for the client.
- Drafted arguments on interpretation of Russian-language contract for AAA arbitration.
- Drafted motion to dismiss in *In re Potash Antitrust Litigation* (No. II), 686 F.Supp.2d 816 (N.D. Il 2010) (a multi-district class-action antitrust case), including preparing expert report on applicable foreign law, and assisted with interlocutory appeal and en banc rehearing in related case (*Minn-Chem, Inc. v. Agrium, Inc.*).
- Argued summary judgment motion in Commercial Division of New York Supreme Court, in which client received six-figure damage award.
- Managed team of attorneys representing a putative class of students pursuing federal IDEA claims through intensive discovery, summary judgment, and appeal (*T., et al. v. Dumont Public Schools*, No. 12-2241 [3d Cir. Apr. 26, 2013]).

Litigation Counseling and Investigations

- Assisted major international oil company with comprehensive internal review of potential tort liability in the US, with follow-on review of corporate separateness between affiliates.
- Advised multinational bank regarding potential liability stemming from mortgage-backed securities, including responding to requests from the SEC and New York Attorney General's office.
- Advised local offices of various banks from the People's Republic of China regarding subpoenas for materials located in China; represented banks in opposing subpoenas in various types of actions.
- Prepared policy for routing of subpoenas and subsequent document retention obligations for US office of European multinational banking client, and then supervised review of all incoming third-party subpoenas and document requests.
- Advised US, German, and Saudi Arabian clients regarding the enforceability of various contractual provisions governed by US law.

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Experience Continued

Corporate Governance

– Acted as principal legal advisor to the corporate secretary of 190-member intergovernmental financial institution, with responsibility for all legal issues relating to governing boards, corporate governance, and corporate by-laws.

Publications and Presentations

– Utah Privacy Law in 2026: A Practical and Strategic Guide for Businesses (Chambers Global Practice Guides)
– Global Legal Issues class instructor, Executive Certificate in Global Business Management course (Salt Lake Community College, 2024-present)
– A History of Tariffs in Three Parts (BYU Education Week, Aug. 21, 2025)
– Introduction to Comparative Law (Kirton McConkie, Apr. 14, 2025)
– Utah – Third Country Assessment of Data Privacy Adequacy (DataGuidance, Jan. 2025)
– Cross-Cultural Competency for Lawyers (Utah State Bar Association Fall Forum, Nov. 15, 2024)
– Utah: 2023 privacy updates (DataGuidance, Apr. 2024)
– Combatting Corruption: The Benefits and Challenges (Richard Richards Foundation, Mar. 14, 2024)
– Careers in International Finance (BYU Management Society, San Francisco, Dec. 12, 2023)
– Data Privacy Protections Come to Utah (Client Note, May 2022)
– European Data Privacy Law (TAGLaw, Feb. 25, 2022)
– Navigating the New Economic Sanctions & Trade Restrictions Against Russia (Client Note, Feb. 2022)
– Utah: Cybersecurity Affirmative Defense Act—A Safe Harbor for Data Breaches (DataGuidance, Feb. 2022)
– Data Privacy & the EU: What you need to know about transferring data from Europe (Utah Bar Association, Jan. 10, 2022)
– The Future of International Finance in Periods of Global Conflict (Utah Bar Association, Jan. 6, 2022)
– The Adaptive Mandate of the International Monetary Fund: Challenges & Opportunities in the Time of Covid-19, Rutgers International Law & Human Rights Journal (Spring 2021)
– Legal Aspects of International Financial Institutions (Joint Vienna Institute, April 3-7, 2017)
– *Strengthening the Contractual Framework to Address Collective Action Problems in Sovereign Debt Restructuring*. IMF Policy Paper (September 2014) (contributing author)

Clifford F. Blair

Experience Continued

Prior Experience

- Senior Counsel, International Monetary Fund, Washington, D.C. (2013-2021)
- Associate, White & Case, New York (2007-2012)

Education

Columbia Law School, JD, 2007
- Harlan Fiske Stone Scholar
- Certificate in International & Comparative Law, Parker School of Foreign & Comparative Law

Brigham Young University, BA, Russian and Political Science, *magna cum laude* and University Honors

Community & Civic Involvement

- Chair, International Law Section, Utah State Bar (2024-present)
- Government Relations Committee, Utah State Bar (2021-present)
- Board of Directors, Utah Life and Health Insurance Guarantee Association (2026-present)
- Organizer for Ukrainian Pro Bono Immigration Clinics
- Co-Founder and Trustee, Innisfree Foundation
- Three-time Former Chapter Chair, J. Reuben Clark Law Society

Admissions & Affiliations

Bar Admissions:
District of Columbia
Minnesota (inactive)
New York
U.S. District Courts for the Southern & Eastern Districts of New York
U.S. Court of Appeals for the Third Circuit
Utah

Honors & Awards

- Utah Legal Elite: International (2022)
- Pro Bono Award for representing a putative class of students pursuing federal IDEA claims in J.T., et al. v. Dumont Public Schools through intensive discovery and summary judgment
- Phi Kappa Phi Honor Society