



Mallory B. Duncan

OF COUNSEL

Washington

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Practice Areas

Data Strategy, Privacy and Security

Litigation

Education

Yale Law School, J.D., 1975
Pomona College, B.A., 1972

Bar & Court Admissions

District of Columbia

Admitted to practice law only in the states listed above.

Industries

Retail and Consumer Products

Mallory is of counsel in the Vorys Washington, D.C. office and a member of the litigation group. Prior to joining Vorys, he worked as a senior vice president and general counsel of The National Retail Federation (NRF) from 1994 to 2017.

Mallory focuses his practice on advising the firm's retail clients on emerging issues including antitrust and competition issues; pay card acceptance and interchange; pricing; eCommerce; privacy and data breach; challenges facing brick and mortar retailers; and the impact of online marketplaces.

Career highlights include:

- Spending well over a decade working with retailers on credit card industry fees, rules and practices fighting to constrain costs and make the payment card industry more transparent and competitive
- Advising retailers and regulators on privacy and data security issues, including helping develop baseline retail industry privacy principles, lobbying and testifying on these topics multiple times before congressional committees, state and federal agencies
- Assisting retailers with marketing and consumer protection issues including advertising; loyalty and gift card programs; and pricing campaigns, both online and offline
- Assisting retailers with emerging issues in Americans with Disabilities Act (ADA) compliance and enforcement
- Working with retailers, banking groups and other stakeholders on revisions to the nation's consumer bankruptcy laws
- Managing the NRF General Counsels Forum, made up of chief legal officers at many of the nation's best-known retail companies for nearly twenty years

Prior to joining the NRF, Mallory spent 10 years working in the legal department at J.C. Penney and several years as a senior attorney at the Federal Trade Commission's Office of Policy Planning.

Mallory is a fellow of the American College of Consumer Financial Services Lawyers (ACCFSL). Membership in the ACCFSL is limited to lawyers who have achieved preeminence in the field of consumer financial services law and who have made repeated and substantial contributions to the promotion of learning and scholarship in consumer financial services law through teaching, lecturing and published writings. Mallory also serves on the ACCFSL's Board of Regents.

Mallory received his J.D. from Yale Law School and his B.A. from Pomona College.

Events

7.13.2021

Ecommerce: Legal Issues Tangled in the Web at the NRF Retail Law Summit 2021

1.14.2020

Merchant Lawsuits Against Visa and Mastercard

6.5.2019

CBUS 19 Retail Re-Thought Conference