

## INCIDENT RESPONSE ACTION ITEMS | *Steps to consider after a breach*

**CALL 844-557-1328** (primary) **or 855-217-5204** (secondary)

### 24/7 BREACH HOTLINE

Powered by Baker Hostetler, you will be partnered with a breach coach who can guide you through next steps.

## ENGAGE BREACH RESPONSE PLAN

### IMMEDIATE ACTION ITEMS

- ✦ Secure premises to stop additional data loss, and preserve evidence. Engaging a forensics expert or additional IT expertise may be necessary.
- ✦ Activate your Inside and Outside Response Teams and promptly investigate the incident.
- ✦ Limit access into affected areas, as necessary, and take steps to limit further data loss until investigation is complete.
- ✦ Determine steps necessary to eliminate system weaknesses and prevent a recurrence.
- ✦ Document all known facts
- ✦ Consult your data breach coach and/or legal counsel on notifying law enforcement and regulators. Notify as required.
- ✦ Contact your insurance agent/company to ensure timely notification of circumstances which may lead to a claim.

### DOCUMENTATION CHECKLIST

- ✦ date and times of breach discovery
- ✦ dates and times when response efforts began
- ✦ who discovered breach
- ✦ interviews of all those involved in discovery
- ✦ type of breach
- ✦ data stolen, including type
- ✦ devices impacted
- ✦ any other additional pertinent information

### REMEDIATION AND RESOLUTION

#### COMPANY ACTION ITEMS

- ✦ In consultation with counsel or data breach coach
- ✦ Determine if credit and similar monitoring services are necessary to provide to the affected parties
- ✦ Engage outside vendors as appropriate.
- ✦ Determine if a public relations firm is necessary, and engage as appropriate
- ✦ Begin communication and notification processes
- ✦ Establish procedures and point person(s) to respond to customer and press inquiries

#### DATA BREACH COACH/LEGAL COUNSEL CHECKLIST

- ✦ Analyze possible legal implications of the breach
- ✦ Identify and address security gaps
- ✦ Determine what parties, if any, must be notified of exposed data
- ✦ Provide direction or draft content for notifications. *Privacy laws vary by state. Some states have specific language requirements that must be followed.*
- ✦ Provide direction or develop timeframes required for notifications. *In some cases, only up to 60 days is allowed by law to send out notices.*
- ✦ Assess potential claims against culpable third parties
- ✦ Manage related litigation and regulatory defense for the bank

#### IT AND FORENSICS EXPERTS CHECKLIST

- ✦ Analyze the data breach
- ✦ Identify the extent and type of data compromised and who is affected
- ✦ Delete malware and hacking tools
- ✦ Identify and address security gaps
- ✦ Replace infected machines
- ✦ Document breach containment and remediation