



# DATA PRIVACY & SECURITY

Incident Response Team



WYATT TARRANT & COMBS LLP

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# THE WYATT DATA INCIDENT RESPONSE TEAM

Wyatt's Data Incident Response Team has the knowledge and experience essential to help you manage the potential unauthorized exposure of personal information. When you experience a data security incident, you need lawyers who can help you determine the state and federal data privacy laws applicable to your situation. Depending on the facts, a security incident may trigger a requirement to notify individuals and regulatory authorities.

We have counseled businesses on state data breach laws involving almost every state in the United States. In addition, we have counseled clients on unique Kentucky laws applicable to governmental agencies, public school systems and "non-affiliated third parties," as well as on related policies, procedures, and regulations.

We maintain good relationships with insurers, regulatory agencies, law enforcement and cyber security experts. We also have worked with the top data security incident response and remediation consultants in the field.

While there may be a temptation to take on response and remediation tasks by yourself as a cost-saving measure, the prudent approach is to bring in knowledgeable counsel experienced in handling data security incidents for compliance with applicable data breach laws. Enlisting legal counsel is also essential to protecting your investigation under applicable privileges.

**Our experience enables us to hit the ground running on your behalf.**

## DATA INCIDENTS EXPERIENCE:

Wyatt's data privacy attorneys have assisted clients on a wide range of data security incidents, involving both **physical** and **electronic** data. We've assisted with a variety of unauthorized disclosures, including those that arise from employee negligence, theft and third-party cybercrime. We've provided legal advice on incident response, remediation and breach notification for the following data security incidents:

- inadvertent disclosures of personal information to unauthorized individuals under a wide range of circumstances
- disclosures that are in excess of a need to know
- employee theft
- ransomware
- phishing emails that claim to be from reputable organizations or government agencies and contain links to phony websites or infected attachments
- spear phishing emails that impersonate a trusted source and target a specific individual based on job title or other public information in order to trick the recipient into providing access to personal information (e.g., W-2 scam)
- exploitation of computer network that has become vulnerable due to lack of updates for software that is no longer in use
- system mis-configurations that allow data to be accessed on the Internet by unauthorized individuals
- lost mobile devices, including laptops and mobile storage devices (thumb, flash, plug-in drives)
- accidental disposal or misplaced files and documents containing personal identifying information
- vendor mailing errors (e.g., automated printing or envelop stuffing malfunctions)
- break-ins

The potential and actual disclosures on which we have worked range from a few individuals to over 500,000 residing in multiple states and, if necessary, we consult with counsel for legal requirements of states in which we are not licensed. The settings for these data incidents have involved retail, healthcare,

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banking, education, governmental, professional services, non-profits, and other business settings. We've guided clients through data breaches that were the result of employee negligence, unrelated third parties (e.g., security researchers, acquisition targets) and vendor/service providers. Although client confidentiality prevents us from disclosing the specific details, we are happy to answer further questions about our experience.

**When you have a data security incident, the Wyatt Data Incident Response Team is available to help.**

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WYATT TARRANT & COMBS LLP

Wyatt is a full-service regional law firm with offices in Louisville and Lexington, Kentucky; New Albany, Indiana; Memphis and Nashville, Tennessee. Wyatt, Tarrant & Combs is a member of the DuPont Legal Network and AdvanceLaw. For more information about Wyatt, please visit [www.wyattfirm.com](http://www.wyattfirm.com).

We believe that the practice of law requires sound advice, prompt service, vigorous advocacy, thoughtful counseling and attention to detail.

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