

## DATA BREACH INCIDENT RESPONSE

- Determine whether incident justifies escalation
- Begin documentation of decisions and actions
- Begin mitigation of compromise
- Engage experienced legal counsel to guide through process, determine privilege vs disclosure tracks
- Activate Incident Response Plan and notify and convene Incident Response Team
- Notify cyber insurance carrier
- Notify affected business partners per contractual obligations
- Engage forensics to mitigate continued harm, gather evidence, and investigate
- Assess scope and nature of data compromised
- Preliminarily determine legal obligations based on type of data and jurisdictions
- Determine whether to notify law enforcement
- Begin preparing public relations message
- Engage notification / credit services vendor
- Investigate whether data has been "breached"
- Determine when notification "clock" started
- Remediate and protect against future breaches
- Confirm notification / remediation obligations
- Determine proper remediation services
- Assemble contact information for notifications
- Prepare notification letters, frequently asked questions, and call centers
- Plan and time notification "drop"
- Implement public relations strategy
- Administrative reporting (AGs, HHS, FTC, SEC)
- Implement Cyber Risk Management Program

For more information, please contact:

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Cybersecurity & Data Privacy Partner

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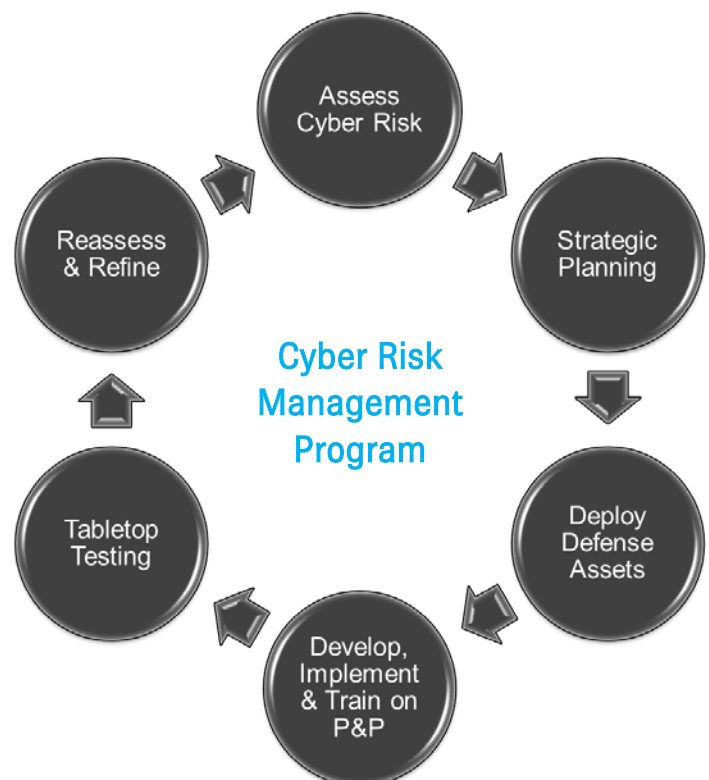
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"Target has demonstrated . . . that the work of the Data Breach Task Force was focused not on remediation of the breach . . . but on informing Target's in-house and outside counsel about the breach so that Target's attorneys could provide the company with legal advice and prepare to defend the company in litigation that was already pending and was reasonably expected to follow."  
*In re Target Corp. Customer Data Breach*

"Firms must adopt written policies to protect their clients' private information . . . they need to anticipate potential cybersecurity events and have clear procedures in place rather than waiting to react once a breach occurs."

*S.E.C. v. R.T. Jones Capital Equities Mgt.*



# SHAWN'S EXPERIENCE



## SHAWN TUMA CYBERSECURITY & DATA PRIVACY ATTORNEY

### Education

J.D., Regent University School of Law  
(magna cum laude, '99)

B.A., Political Science, Northwestern State  
University (with honors, '94)

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### Let's Connect



Business Cyber Risk Blog [www.shawnetuma.com](http://www.shawnetuma.com)



Shawn is an experienced cybersecurity and data privacy attorney who helps businesses protect their information and protect themselves from their information. He has been practicing in this area for nearly two decades and represents clients across the United States in dealing with cybersecurity, data privacy, and computer fraud legal issues and cases.

In recognition of his extensive experience, in 2016, the *National Law Journal* selected him as one of its *Cybersecurity & Data Privacy Law Trailblazers*, *D Magazine* selected him as one of the *Best Lawyers in Dallas*, and *SuperLawyers* selected him for *Top 100 Lawyers in Dallas / Fort Worth*.

Shawn regularly assists clients with privacy incidents and data breach responses, both as cyber insurance panel counsel and direct engagements. For proactive companies, his ideal role is to serve as a member of their team as outside cybersecurity counsel to help them develop and mature a Cyber Risk Management Program to proactively prepare for and minimize their risks of doing business in today's cyber risk-laden business world. Then, if a problem does arise, he is there to serve as their guide through resolving the legal and regulatory compliance issues that may arise.

He has worked his entire career as both a cyber lawyer and a complex business trial lawyer, which is a relatively unique combination. His cyber law, business law, and litigation experience equips him with unique skills for helping businesses assess, avoid, and resolve problems in a very expeditious manner.

Shawn is a prolific author, speaker, blogger, and guest lecturer on cybersecurity, data security, data privacy, and general cyber law.

## PROFESSIONAL ACTIVITIES

Scheef & Stone, L.L.P., *Partner*

Cyber Future Foundation, *Board of Directors & General Counsel*

University of North Texas Cyber Forensics Lab, *Advisory Board*

National Technology Security Coalition, *Policy Council*

Intelligent Transportation Society of America, *Cybersecurity Task Force*

Optiv Cybersecurity Office of CISO, *Advisory Board*

Computer & Technology Council, State Bar of Texas, *Secretary*

Data Security & Privacy Committee, State Bar of Texas

FBI's InfraGard

North Texas Crime Commission, Cybersecurity Committee

## RECENT HONORS

*Cybersecurity & Data Privacy Law Trailblazer*, National Law Journal, 2016

*Texas Super Lawyers Top 100 in DFW*, Thomson Reuters, 2016

*Best Lawyers in Dallas*, D Magazine, 2014-2017