

# Cyber Risk Landscape facing Tech Colleges



**DISTRICTS MUTUAL INSURANCE  
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**April 2017 - Risk Mitigation Seminar**

# About NetDiligence®

- 15+ years supporting the cyber liability insurance industry.
- For loss control service, we support the majority of cyber liability insurance markets.
- We conduct **cyber risk assessments** on organizations – and their vendors – all sizes and sectors.
- We build/ host **Breach Response Plans**
- We also support most (60+) cyber risk insurers – and their insured clients – with *post data breach* crisis support via eRisk Hub

## Sampling of insurers that we support:

- Aegis
- Alliant
- Allianz
- Arch
- Argo
- Aspen
- Axis
- Barbican
- Beazley
- Berkley
- Berkshire Hathaway
- Brit
- Chubb
- Cuna Mutual
- DMI
- Endurance
- Hiscox
- HSB
- Ironshore
- Kiln
- Liberty
- Markel
- National League of Cities
- One Beacon
- Philadelphia
- Principia
- QBE
- RLI
- Starr
- Swiss RE
- Travelers
- Trans Re
- USLI
- Vela
- XL
- Zurich

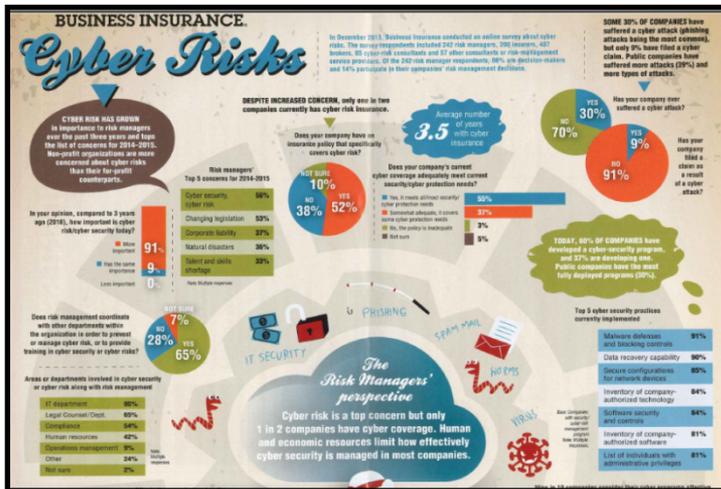


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# Why Are We Here?

## BUSINESS INSURANCE



Risk managers' Top 5 concerns for 2014-2015	
Cyber security, cyber risk	56%
Changing legislation	53%
Corporate liability	37%
Natural disasters	36%
Talent and skills shortage	33%



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# WHAT IS CYBER?

WHERE?



ONLINE



OFFLINE

WHO?



MALICIOUS



ACCIDENTAL



INTERNAL



EXTERNAL

WHAT?



TECHNOLOGY



MEDIA



DATA

CRISIS  
EXPENSE

EXTRA  
EXPENSE

LOST  
INCOME

DEFENSE  
EXPENSE

PENALTIES

LIABILITY



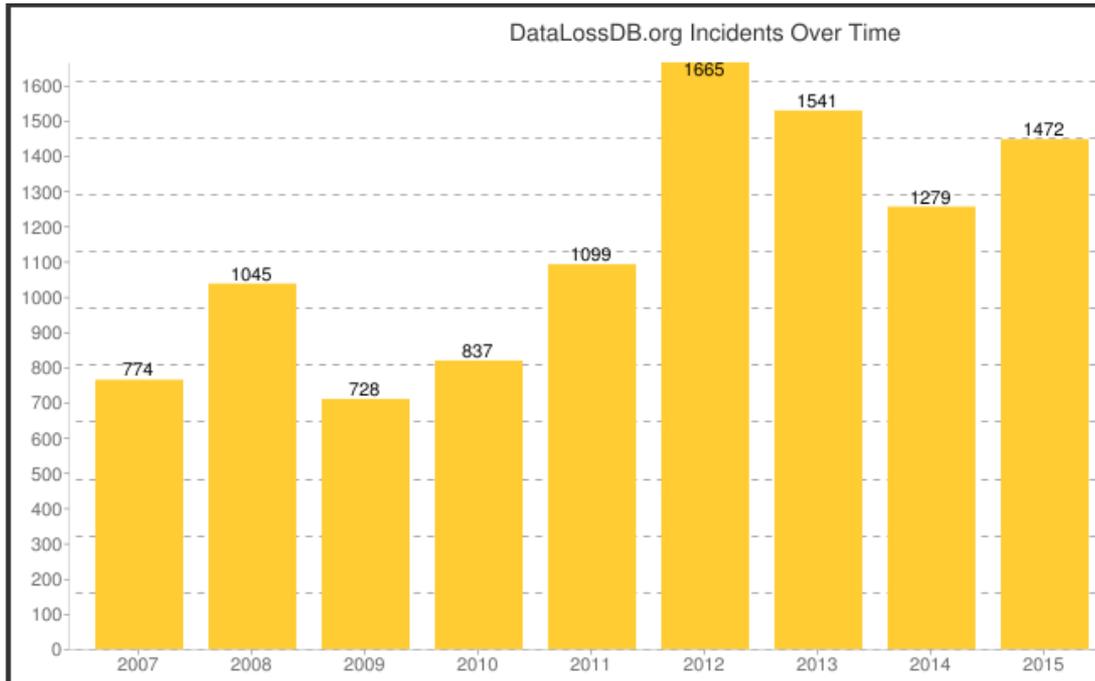
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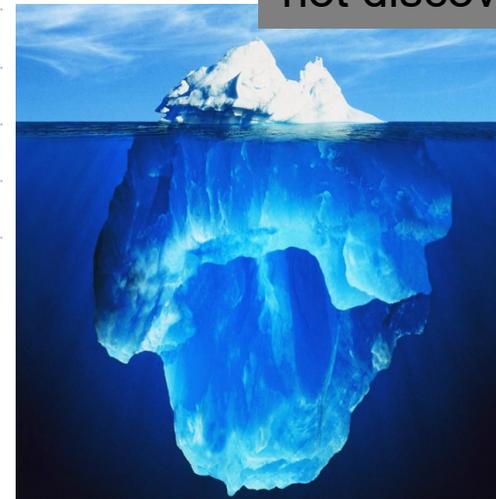
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# Client Concerns: Data Breach Trends

Tip of the iceberg! ... many more (most) undetected or not reported



Most breaches  
unreported or  
not discovered



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# College IT Worry: Data is Everywhere!

Tech Colleges Are:

- Highly Dependent on technology
- Collecting/ sharing vast PRIVATE data (students, alum, staff)
- Continuing to outsource (CLOUD)
- Replicating data everywhere
- Finding it difficult to trace data flow (i.e. your data is now in your Cloud's Cloud)



**Data & Dependencies are Everywhere:** (1.) Servers; (2.) Corp Databases/Web Applications; (3.) Remote Users ( Laptops/ iPhones); (4.) Back-Up/Storage Facilities; (5.) Service Providers/ CLOUD; (5.b) The Clouds for your Clouds (6.) Contractor systems, (7.) Credit Card Processors; (8.) Mobile Apps (9) your 'Big Data' analytic marketers etc...



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# Cyber Threats Facing Tech Colleges

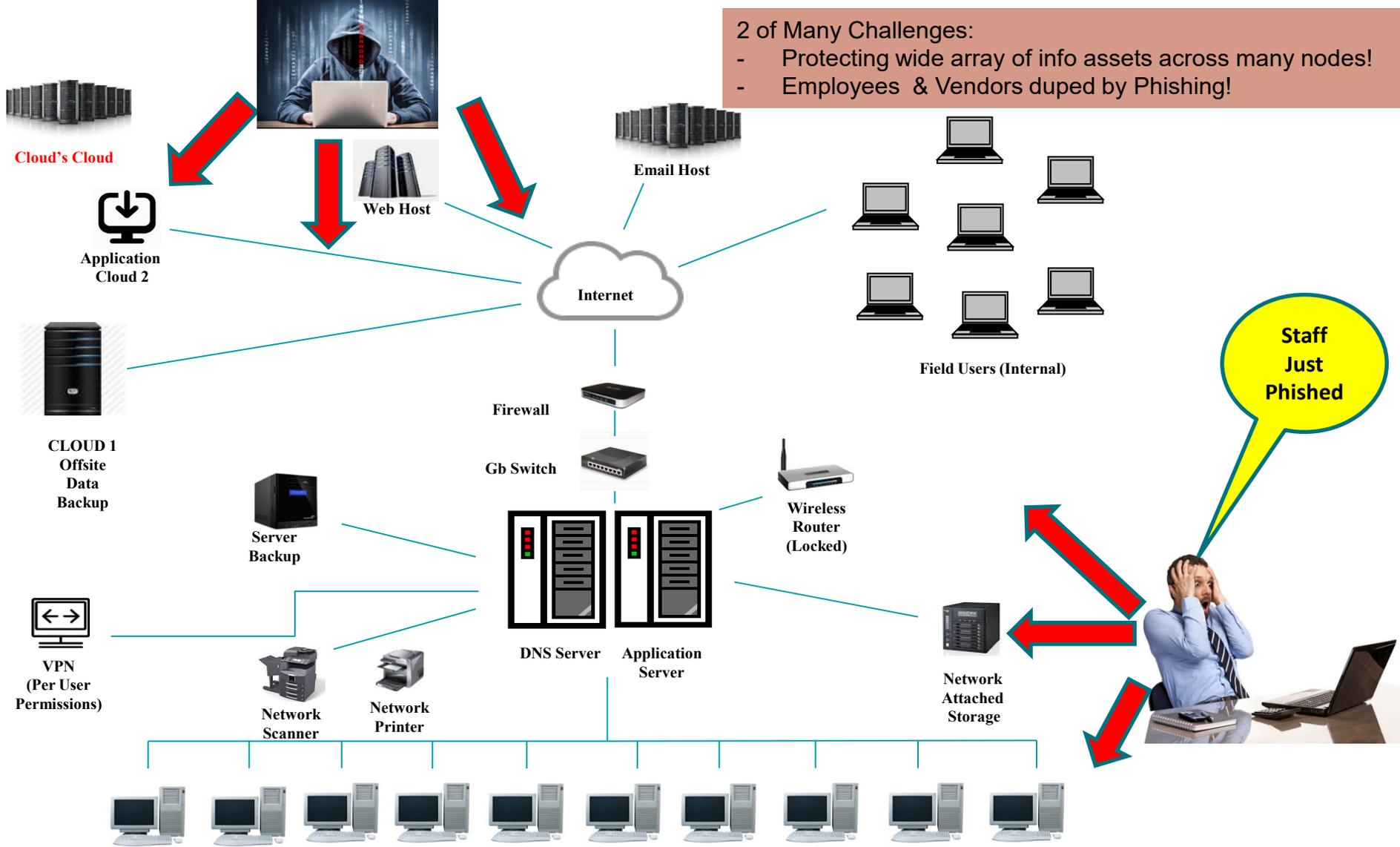
- **Insiders: Malicious and Disgruntled Employees/Students**
  - Changing data/ Deleting data/ Destroying data or programs with logic bombs/ Crashing systems/ Holding data hostage/ Stealing & selling data/ Entering data incorrectly
- **Outside Attackers or 'Hackers'** *(they don't know you & don't care if you're large or small)*
  - Intrusion / hack
  - DDoS
  - Social Eng (Phish Fight)
  - Email Hacking
  - Extortion
- **Viruses & Malware**
- **Non-Malicious – Employees (Email & Mailing errors or lost laptops)**
- **Non-Malicious – System/Coding Glitch**
- **Trusted 3<sup>rd</sup> Party: BA Vendor/Cloud Breach Coach or Mishap (they control your data or systems)**



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# Growing Concern: Class Action Liability

## Privacy Data Breach Cases

### State and Federal Courts

[Ambury v. Express Scripts \(2009\)](#)  
[Pinter v. D.A. Davidson \(2009\)](#)  
[Dandridge v. Aurora Health Care \(2009\)](#)  
[Pisciotta v. Old Nat'l Bancorp \(2007\)](#)  
[Kahle v. Litton Loan Servicing \(2007\)](#)  
[Randolph v. ING \(2007\)](#)  
[Stollenwerk v. Tri-West Healthcare Alliance \(2005\)](#)  
[Forbes v. Wells Fargo \(2006\)](#)  
[Guliv v. Brazos Higher Educ. Serv. Corp. \(2006\)](#)  
[Shames-Yeakel v. Citizens Bank \(2009\)](#)  
[Claridge v. Rock You \(2010\)](#)  
[Allison v. Aetna \(2009\)](#)  
[Valdez-Marquez v. Netflix \(2009\)](#)  
[Rove v. UNCare Life & Health Insurance \(2010\)](#)  
[AFGE v. Hawley and TSA \(2007\)](#)  
[McLoughlin v. People's United Bank \(2009\)](#)  
[Caudie v. Towers, Perrin, Forster & Crosby \(2008\)](#)  
[Shafiq v. Harley-Davidson \(2008\)](#)  
[Willey v. J.P. Morgan Chase \(2009\)](#)  
[Ruiz v. Gap \(2008\)](#)  
[Belle Chasse Auto Care v. Advanced Auto Parts \(2009\)](#)  
[Bell v. Aetna \(2009\)](#)  
[Hammond v. The Bank of New York Mellon \(2009\)](#)  
[Cherry v. Emigrant Bank \(2009\)](#)  
[Matthys v. Green Tree Servicing \(2010\)](#)  
[Pinerio v. Jackson Hewitt Tax Servo \(2009\)](#)  
[Ponder v. Pfizer \(2007\)](#)  
[Zeldman v. Pershing \(2009\)](#)  
[Remsburg v. DocuSearch \(2009\)](#)  
[Walters v. DHL \(2006\)](#)  
[Kidman v. Wells Fargo \(2008\)](#)  
[C.S. v. United Bank \(2009\)](#)  
[Gardner v. Health Net \(2010\)](#)  
[Hinton v. Monster Worldwide \(2009\)](#)  
[Hummingbird v. Texas Guaranteed Student Loan Corporation \(2006\)](#)  
[Thompson v. Hosting Solutions \(2007\)](#)  
[Harris v. Mediacom Communications \(2007\)](#)  
[Zelchenko v. Neal and Chicago Board of Election \(2007\)](#)  
[Keller v. Macon County Greyhound Park \(2011\)](#)  
[Doe v. Yahoo! \(2006\)](#)  
[Credit Card Processing USA v. Merrick Bank \(2011\)](#)  
[TK Holdings v. Doe \(2005\)](#)  
[Harris v. Blockbuster \(2009\)](#)  
[Speaker v. U.S. HHS CDC\(2010\)](#)  
[L.S. et al v. Mount Olive Board of Education \(2011\)](#)  
[Ameriprise v. Financial Resources of America \(2008\)](#)  
[Townsend v. The Princeton Review \(2008\)](#)  
[Vanbuskirk v. Citigroup \(2006\)](#)  
[Schickler v. St. Jude Medical \(2006\)](#)  
[Valdez v. Cox Communications \(2011\)](#)  
[Hendricks v. DSW \(2006\)](#)  
[Garrett v. Comcast \(2004\)](#)  
[Walker v. S.W.I.F.T. \(2007\)](#)  
[Peiter v. T-Mobile \(2009\)](#)  
[Pennsylvania State Employees Credit Union v. Fifth Third Bank and B's Wholesale Club \(2008\)](#)  
[Garnett v. Millennium Medical Management Resources \(2010\)](#)  
[Civica v. Capital One Services \(2010\)](#)  
[Surgison v. Providence Health System \(2006\)](#)  
[Rodario v. PNC Bank \(2005\)](#)  
[E-Shops v. U.S. Bank \(2012\)](#)  
[Wagoner v. AFLAC \(2009\)](#)  
[Ewing v. Administrative Systems \(2009\)](#)  
[Epic v. US DHS \(2012\)](#)  
[Sasenz v. Kaiser Permanente \(2010\)](#)  
[Garnett v. LaSalle Bank \(2008\)](#)  
[Korman v. The Walking Company \(2007\)](#)  
[Ramirez v. MGM Mirage \(2007\)](#)  
[Griffin v. First Premier Bank \(2005\)](#)  
[Odom v. Securitas Security Services \(2008\)](#)  
[In re: Maple v. Colonial Orthopaedics \(2010\)](#)  
[Johnson v. Carpinelli \(2007\)](#)  
[Clark Street Wine & Spirits v. Emporio Systems \(2010\)](#)  
[Gaos v. Google \(2010\)](#)  
[Lane v. Facebook, Blockbuster, Fandango, Hotwire, StarTravel, Overstock.com, Zappos.com, Gamefly \(2010\)](#)  
[Perry v. James Miller Chevrolet \(2007\)](#)  
[Home v. Pfizer \(2007\)](#)  
[McIntyre v. Jewish Hospital & St. Mary's Healthcare \(2010\)](#)  
[Murray v. Cingular Wireless II \(2005\)](#)  
[Gentile v. Imigtas \(2007\)](#)  
[Mathias v. Imigtas \(2006\)](#)  
[Stone v. Cost \(2007\)](#)  
[Korman v. The Walking Company \(2007\)](#)  
[Robinson v. H&R Block and HSBC Bank \(2008\)](#)  
[Robins v. Spokeo \(2011\)](#)  
[Losapio v. Comcast \(2011\)](#)  
[Sams v. Yahoo! \(2013\)](#)  
[Sams v. Windstream \(2010\)](#)  
[Chaney v. Sisters of St. Francis Health Services \(2006\)](#)  
[Low v. LinkedIn \(2012\)](#)  
[Virtue v. Myspace\(2011\)](#)  
[Levine v. ChoicePoint \(2003\)](#)  
[Fresco v. Axiom \(2005\)](#)  
[In re: Google User Privacy Litigation \(2012\)](#)  
[Conner v. Tate \(2001\)](#)  
[Roger v. US DHS \(2009\)](#)  
[Lee v. US DOJ \(2006\)](#)  
[Brittingham v. Cardano and Dees 1-10 \(2009\)](#)  
[Aliano v. Texas Roadhouse Holdings \(2008\)](#)  
[Cocilite v. Jewel Food Stores \(2007\)](#)  
[Klimp v. Rip Curl \(2008\)](#)  
[Torres v. Babycenter, LLC \(2008\)](#)  
[Kestler v. Ikea U.S. \(2008\)](#)  
[Hammer v. JP's Southwestern Foods \(2010\)](#)  
[Todd v. Target \(2010\)](#)  
[Friedman-Katz v. Lindt & Spruelli \(2010\)](#)  
[Restnick v. AvMed \(2011\)](#)  
[Wiles v. Southern Bell Telephone \(2011\)](#)  
[King v. Google \(2011\)](#)  
[Goode v. LexisNexis \(2011\)](#)  
[Godimez v. Bar Brothers \(2011\)](#)  
[McClung v. Susan Combs, Texas Comptroller \(2011\)](#)  
[Charles v. Money International and Wal-Mart \(2011\)](#)  
[Olivera v. Vizus \(2011\)](#)  
[Richardson v. DSW \(2005\)](#)  
[Murray v. AT&T \(2005\)](#)  
[Beaven v. US DOJ \(2007\)](#)  
[Iosello v. Leibys \(2007\)](#)  
[Folman v. Hospitality Plus \(2007\)](#)  
[Folman v. Village Square \(2007\)](#)  
[Kainoff v. Dropbox \(2011\)](#)  
[Credit Chequers v. CBA, Experian, and Equifax \(2013\)](#)  
[Robinson v. Equifax \(2009\)](#)  
[Hinton v. Trans Union \(2009\)](#)  
[Thomas v. Hugo's Frog Bar \(2008\)](#)  
[Kramer v. Orland Park Nissan \(2005\)](#)  
[Marinucci v. Fidelity \(2010\)](#)  
[Bruce v. KeyBank National Association \(2007\)](#)  
[Thompson v. Department of State \(2005\)](#)  
[Edmonds v. US DOJ \(2006\)](#)  
[Armstrong v. Paulson \(2007\)](#)  
[Murray v. GAMAC Mortgage \(2005\)](#)  
[Tillman v. Bank of America \(2011\)](#)  
[Muga v. Branch Banking & Trust \(2010\)](#)  
[Mannacio v. General Electric \(2007\)](#)  
[Schoenberg v. Guidance Software \(2006\)](#)  
[Human Rights Law Foundation v. Cisco \(2011\)](#)  
[Frey v. Brinker Texas, d/b/a Chili's Bar & Grill \(2011\)](#)  
[Wong v. Dropbox \(2011\)](#)  
[Levine v. Reed Elsevier \(2003\)](#)  
[Reyes v. Marku Enterprises \(2011\)](#)  
[Saurage v. Rave Reviews Cinemas \(2007\)](#)  
[Baum v. Keystone Mercy Health Plan \(2011\)](#)  
[Key v. DSW \(2006\)](#)  
[Mercado v. Wachovia \(2005\)](#)  
[Mingo v. Wachovia \(2005\)](#)  
[Giordano v. Wachovia \(2006\)](#)  
[Edify v. Fifth Third Bank \(2007\)](#)  
[International Union of Operating Engineers v. Ward \(2009\)](#)  
[Ramkissoon v. AOL \(2009\)](#)  
[Payne v. Verizon \(2006\)](#)  
[Fedebo v. Cigna \(2006\)](#)  
[Estep v. Blackwell \(2008\)](#)  
[Santellana v. Nucentix \(2002\)](#)  
[Chaney v. Wachovia \(2005\)](#)

## In the News

- Maricopa College waited 7 months to notify 2.4 million students of data breach
- Maricopa County College's computer hack cost tops \$26M

# Very Common Technical Weakspots (not going away)

## PROBLEM 1) **IDS** or 'Intrusion Detection Software' (Bad guy alert system)

- Studies show that 70% of actual breach events are NOT detected by the victim-company, but by 3<sup>rd</sup> parties (and many more go undetected completely).
- FTC and plaintiff lawyers will cite 'failure to detect'

## PROBLEM 2) **Encryption** (of private data)

- Vary rarely used P2P or across a full enterprise (email, web app databases, laptops, clouds etc)

## PROBLEM 3) **Patch Management**- Challenges:

- All systems need constant care (patching) to keep bad guys out.
- **Verizon DBIR 2016: over 85% breaches caused by old/ known exploits (Top 10 CVEs. Over 1 yr to 7 yrs old) !**

## PROBLEM 4) **Vendor Mis-Management**

- Vendors more often now in care, custody & control of YOUR systems or data
- Often no oversight; little due diligence
- SLAs often disown security assurances (no defense or indemnity contractual provisions; waive right to subrogation)
- 1 on 3 events caused by 3<sup>rd</sup> party vendor



# What are some exposures?



THIRD PARTY NETWORK SECURITY	THIRD PARTY PRIVACY	FIRST PARTY BREACH MANAGEMENT	FIRST PARTY BUSINESS COSTS
Unauthorized Access	Unintentional Disclosure	Computer Forensics	Network/Business Interruption
Hacking	Breach of Confidentiality	Notification Costs	Data Replacement
Denial of Service	Violation of Privacy Policy	Credit Monitoring/Identity Monitoring	Cyber Extortion
Virus	Regulatory Defense, Fines, Penalties	Crisis Management	



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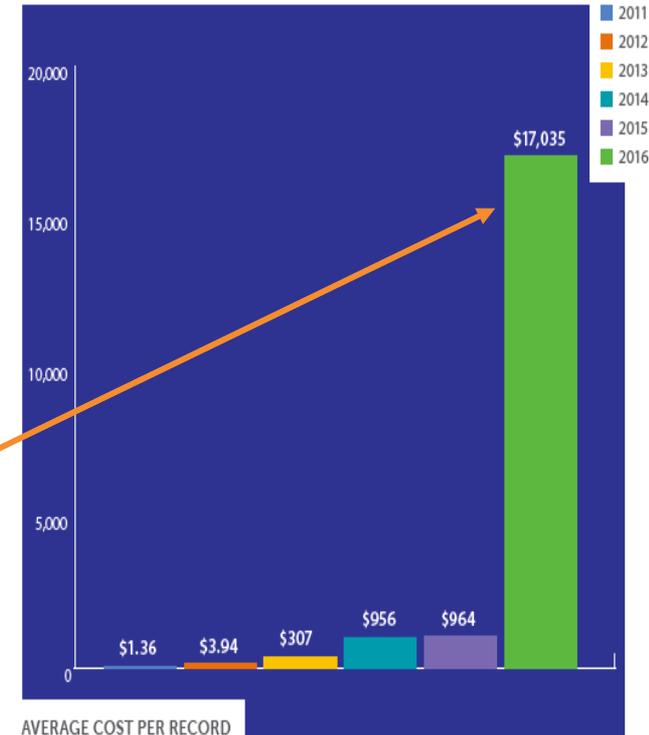
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# NetDiligence<sup>®</sup> 2016 Cyber Claims Study

## HIGHLIGHTS OF FINDINGS

- Sample Size = 176 claims
  - **Detailed partner report now inside your eRiskHub<sup>®</sup>**
- Per Breach Costs
  - **Average breach cost: \$665K**
  - *Comment: more representative of 'main street' than Wall St, Small biz = 87% of claims.*
  - Large Co: **\$6M** (up from last year)
- Per Record Costs
  - **Average per-record costs: \$17K\*** (*median = \$40*)
  - *\*Spiked avg due to 3 big 'outlier' claims; one was over a \$1M per record!*
  - **Cost Range: \$0.03-\$1.6M** (*pennies to million*)



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# NetDiligence<sup>®</sup> 2016 Cyber Claims Study

## HIGHLIGHTS OF FINDINGS

- Crisis Service Costs

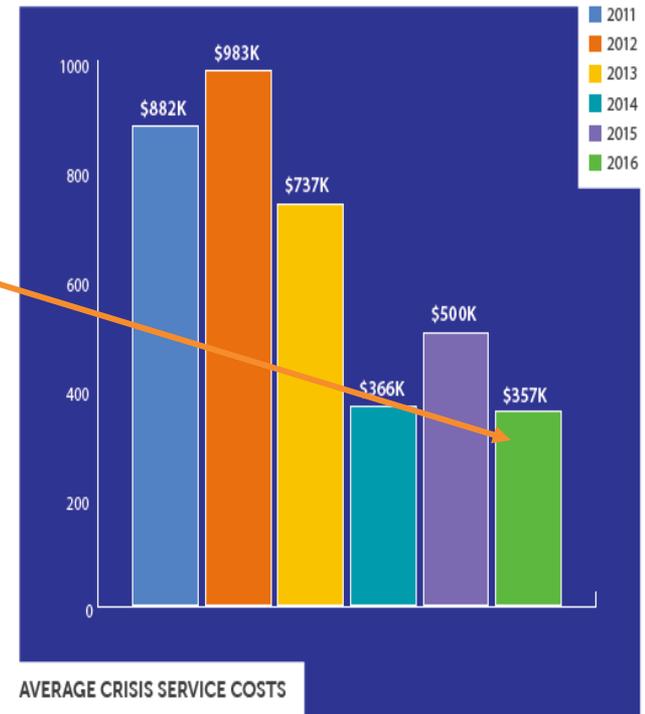
(forensics, legal counsel, notification & credit monitoring)

- **Average cost: \$357K** (Median: \$43K)
- Breach Coach<sup>®</sup> lawyers helping control crisis costs

- Legal Costs

(defense & settlement)

- **Average cost of defense: \$130K** (Median: \$16K)
- **Average cost of settlement: \$815K** (Median: \$250K)



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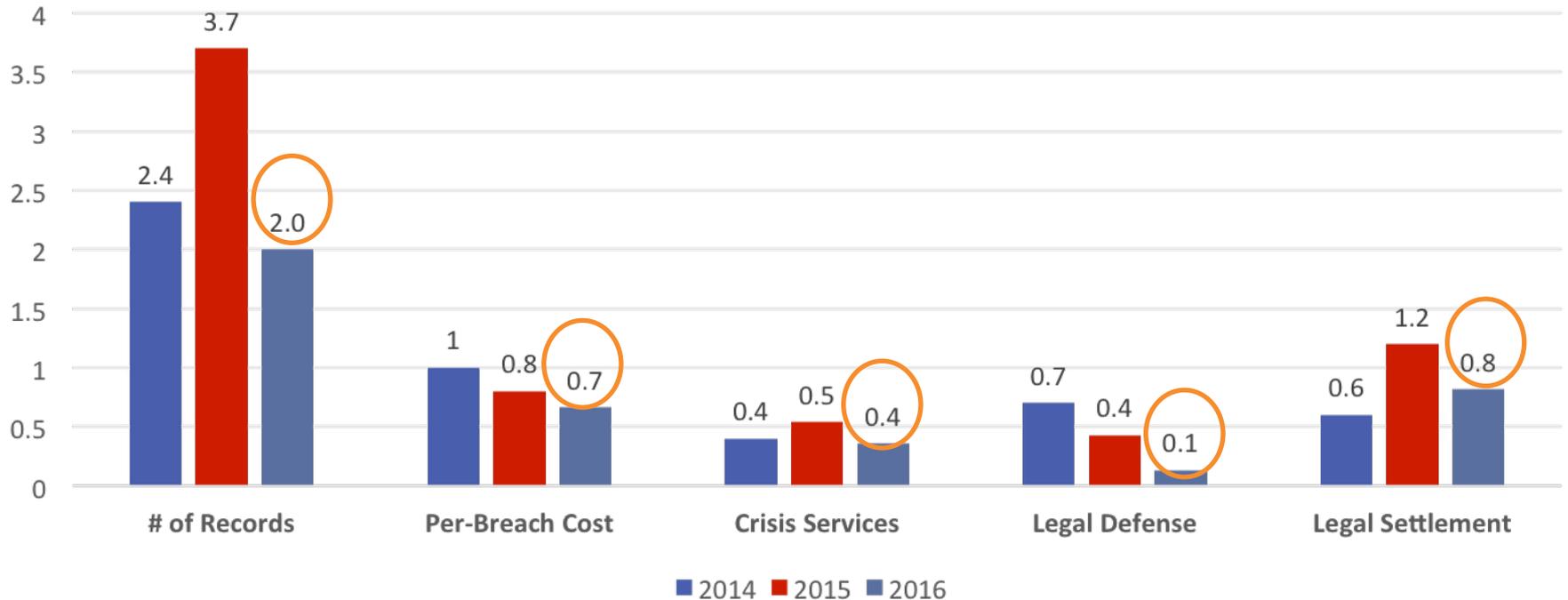
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# NetDiligence<sup>®</sup> 2016 Cyber Claims Study

## HIGHLIGHTS OF FINDINGS

### COMPARING 2016 TO PRIOR YEARS

Average # of Records Exposed & Cost by Type (in millions)



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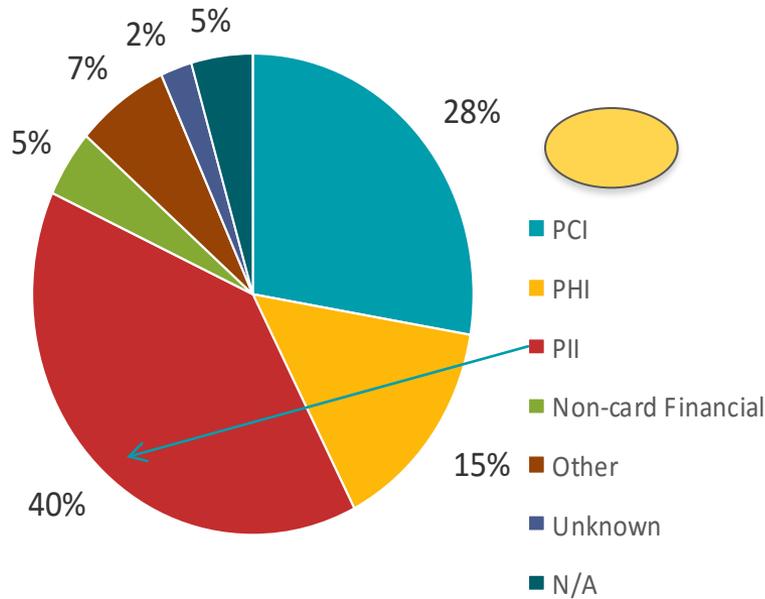
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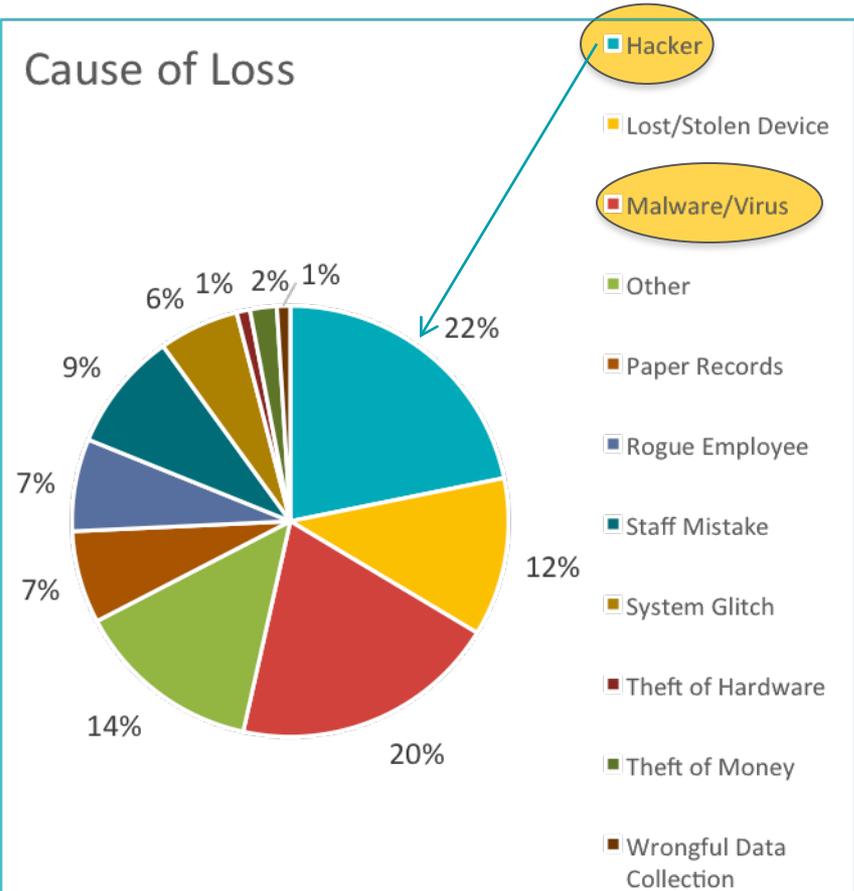
# NetDiligence® 2016 Cyber Claims Study

## HIGHLIGHTS OF FINDINGS

Data Type



Cause of Loss



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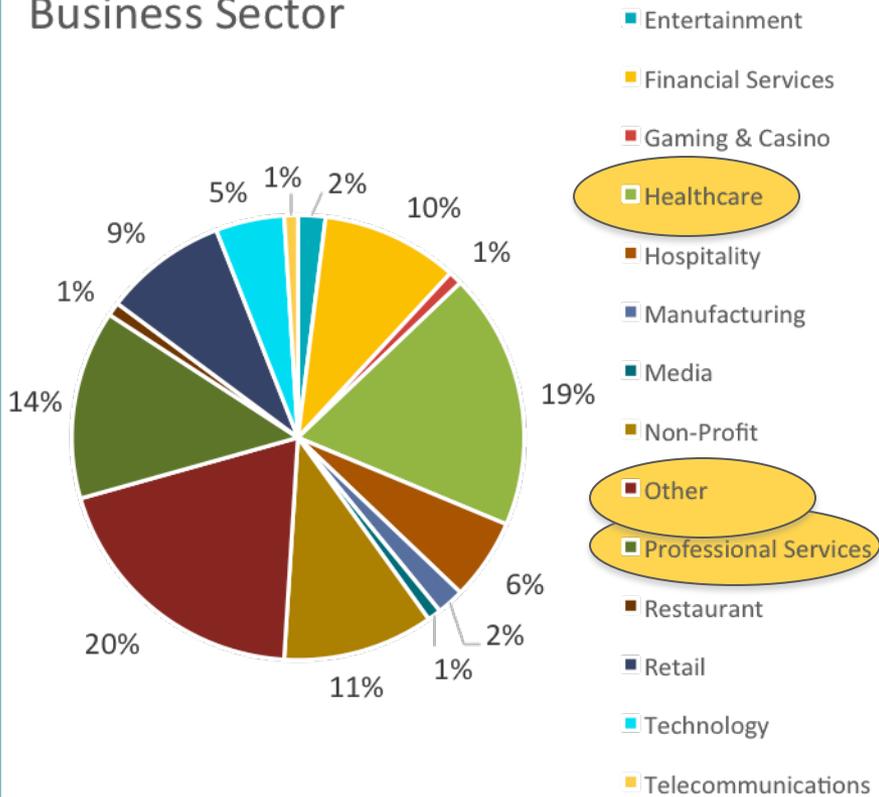
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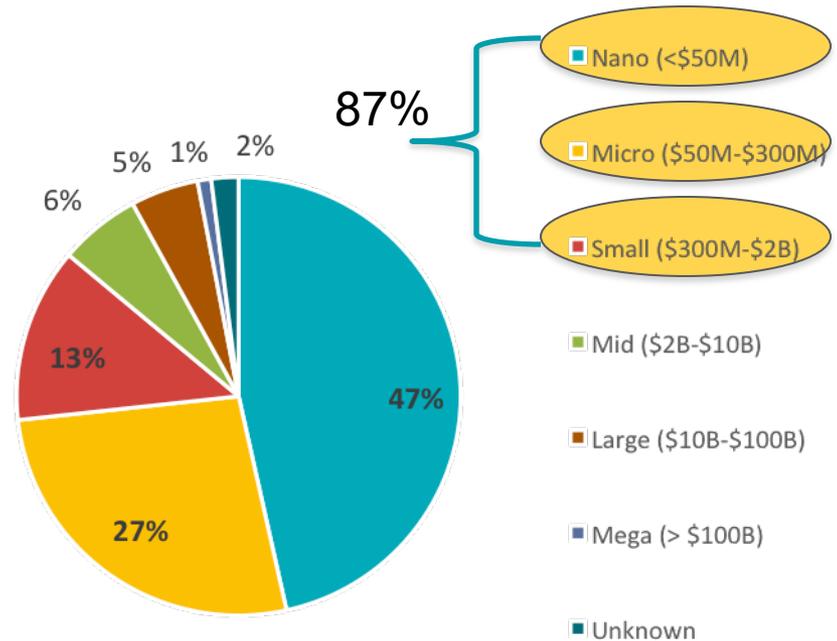
# NetDiligence® 2016 Cyber Claims Study

## HIGHLIGHTS OF FINDINGS

### Business Sector



### Organization Size



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# What Can You Do?

## ... Assess Your Readiness

Purpose: Showcase Strengths & ID Weakspots

- Build on PCI/ HIPAA etc
- Focus: Privacy & Security liabilities
- Reaffirm 'reasonable' safeguards
- Benchmark to Standards & Peers
- Show good faith efforts to compliance with Regs
- Doc your Cloud Usage
- Show lessons learned from past incidents (battle ready stance)

Cyber Risk Insurability Assessment

- Process should be collaborative
- Educate CEO about their own IT operations
- Wide-Angle: people, process & tech



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4. Encryption-Related Capabilities

PDF FILE

Topics Covered

In-transit encryption for: (Please identify deployed solutions for each setting)

- VPNs and/or dedicated lines to partners, customers, service providers?
- Secure FTP or file-level encryption for transmission over the Internet?
- E-mail transmission?
- Wireless via WPA/WPA2 or other advanced protocols (and elimination of WEP)?

At-rest encryption for: (Please identify deployed solutions for each setting)

- Backup tapes and other archival media?
- Production databases and unstructured file servers?
- Employee laptops and other mobile computing devices?
- USB Thumb Drives and other mobile storage devices?

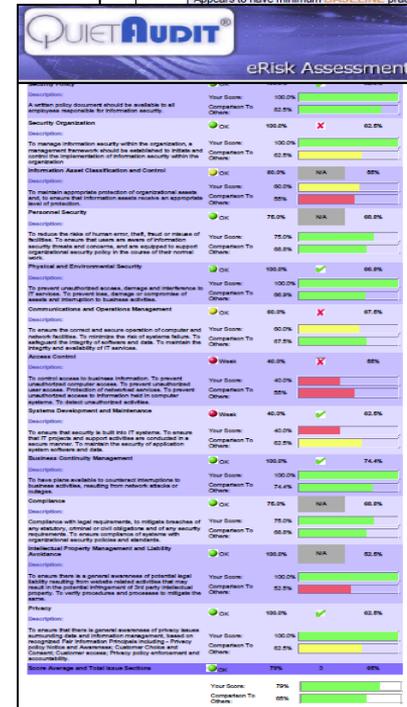
Findings

	Appears to have superior <b>BEST IN CLASS</b> practices	<p>Compared with ALL clients from 2011:</p> <p>2% Weaknesses 2% Baseline 45% Strong 51% Best in Class</p> <p>2011 Client Population = 100k; % by Sector 30% Healthcare &amp; Health Insurers 30% Retail 9% Bank &amp; Other Financial 6% Media 4% Govt/Edu/Non-Profit 3% Energy 12% All Others</p>
X	Appears to have <b>STRONG</b> practices	
	Appears to have minimum <b>BASELINE</b> practices	

SES noted

in process of phasing over to Trustwave-chosen aspect of the infrastructure; stp for bulk file files for secure browser sessions; IBM Lotus Notes wireless settings.

on of backup data within the central business system; based encryption; and a Dell-based hardware solution looked at this year, but in the meantime reliance is ports in settings – such as the business department –



# Preparedness Tips for Tech College

- Perform a *Cyber Risk Assessment*
  - Include any 3<sup>rd</sup> party IT & data storage dependencies (contractors, clouds, etc)
  - Map your sensitive client data
  - Review privacy with security (e.g. wrongful data collection exposure)
- Develop and operationalize a *data breach Incident Response Plan*
  - Bolster your IRP ... Self-help with outside experts
  - Tiger Team experts
    - Breach Coach® (legal expert)
    - Computer Forensics (triage and establish the facts who, what, when, where & how)
    - Notification & call ctr
    - Credit & ID Monitoring
    - PR
- Conduct training on a regular basis to all employees and vendors
- Review insurance coverage for gaps, ensure 'cyber liability' (not just E&O)



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# The DMI eRiskHub



## Districts Mutual Insurance eRiskHub®



Use Tools & Calculators



Catch Up on Cyber News



Browse Articles & Whitepapers



Report a Breach



Welcome to the  
Districts Mutual Insurance  
eRiskHub®

If this is your first visit, take time to look around. You'll find a wealth of information about how to protect your organization from cyber threats and—if an incident should occur—how to minimize the damage.

We've also included a news service, a learning center and a directory of specialty resources that can help you with different aspects of your cyber risk management program.

<https://eriskhub.com/home>



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# eRiskHub<sup>®</sup> Unique Features

Breach Coach<sup>®</sup>

NEW interactive 50 state map (updated by top breach lawyer)

Proprietary Risk Tools:

Free online security assessment (produces a scorecard benchmarking report)

Free security posture research report (by SSC)

Free Security Policy library

Free access to Compliance Shield

Free use of Unique Research Tools

- Cyber Claims paid & causes
- Data breach cost calculator
- Fines & penalties research tool
- Cause of Loss

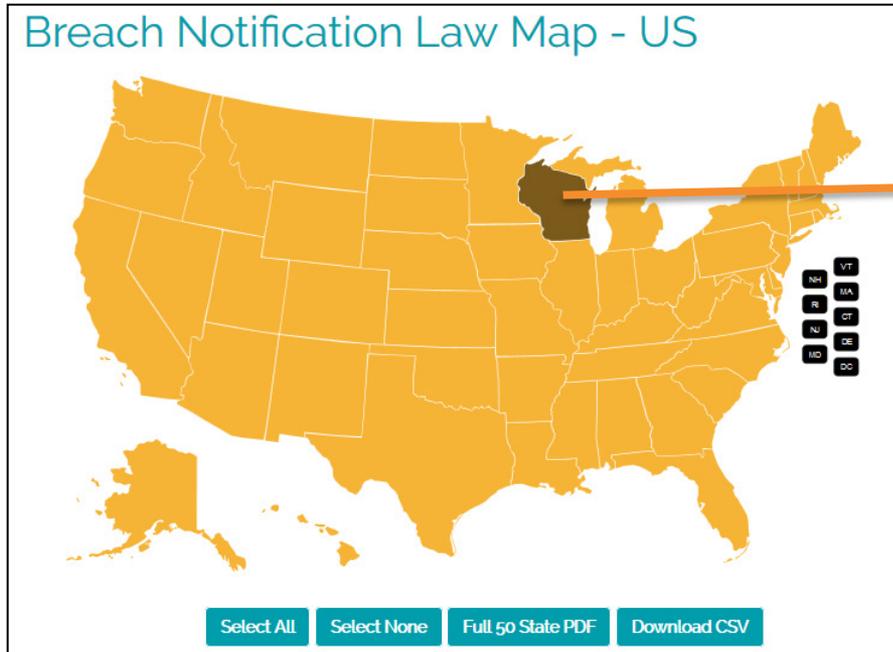


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# 50 State Interactive Breach Notice Law Map



**Wisconsin**

<b>Encryption or Redaction Exception:</b> N/A	<b>Regulated Activities Exclusion (GLBA, etc):</b> N/A
<b>Private Right of Action Included in Breach Law?</b> No	<b>Criminal Investigation or Publicly Available Information Exception?</b> Yes, both
<b>Electronic Only or Paper Included?</b> Any form	<b>Civil or Criminal Penalties?</b> No
<b>Law &amp; Effective Date:</b> Wis. Stat. §134.98 3/31/06 Security Bulletin 1206 12/4/2006	<b>'Personal Information' Definition:</b> CA plus DNA profile, biometric data and excludes PI that is redacted or made unreadable by other method, also, financial account #, etc. instead of account #, etc.
<b>Triggering Event (Risk/Harm or Access):</b> Unauthorized acquisition of PI unless no material risk of identity theft or fraud	<b>Timing of Notification Following Determination of Scope of Breach &amp; Restoration of System Integrity:</b> Within a reasonable time, not to exceed 45 days, unless no material risk of identity theft or fraud
<b>Pre-Breach Measures Included in Breach Law?</b> No	<b>Other Parties to be Notified (Excludes State Agency Obligations Except Insurance):</b> Consumer Reporting Agencies if notifying 1,000+ individuals; Insurers, Gift Annuities, Warranty Plans, Motor Clubs, and Emp. Benefit Plan Admin must notify the Office of the Comm. of Insurance within 10 days.



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# Tools – Claims Scenarios

## Claim Scenarios

**Country**  
Select..

**Business Sector**  
Education

**Revenue Size**  
Select..

**Records Lost**  
Select..

**Data Type**  
Select..

**Cause of Loss**  
Select..

[Show Results](#)

Show 10 entries Click on the *Scenario ID Number* to view details of a particular event. Search:

Scenario ID	Country	Business Sector	Revenue Size	Type of Data	Cause of Loss	Total Cost
1030	US	Education	Unknown	PII	Loss / Theft	\$57,000
1054	US	Education	Unknown	PII	Staff Mistake	\$100,000
1055	US	Education	Unknown	PII	Staff Mistake	\$250,000
1056	US	Education	Unknown	PII	Staff Mistake	\$38,000
1062	US	Education	Unknown	PII		
1073	US	Education	Micro-Revenue (\$50M-\$300M)	PII		
1083	US	Education	Unknown	PII		
1086	US	Education	Unknown	PII		
1087	US	Education	Unknown	PII		
1094	US	Education	Nano-Revenue (<\$50M)	Unknown		

Showing 1 to 10 of 28 entries

### Claim Scenario 1030

**Incident Details**

Country: US  
 Revenue Size: Unknown  
 Business Sector: Education  
 Year of Incident: Unknown  
 Records Compromised: 2000  
 Cause of Loss: Loss / Theft  
 Third Party Breach: No  
 Insider Involvement: No  
 Hours of Network Outage: 0

**Claim Details**

<b>SIR</b>	---
<b>Crisis Services</b>	---
Forensics	---
Notification	---
Credit/ID Monitoring	\$57,000
Legal Guidance/Breach Coach®	---
Other	---
<b>Sub-total</b>	\$57,000

**Description**

An employee of a medical college lost a USB drive while traveling from a teaching hospital to the college office. The drive contained personally identifiable information of 2,000 hospital resident applicants.

<b>Legal Damages</b>	---
Defense	---
Settlement	---
<b>Sub-total</b>	---
<b>Regulatory Action</b>	---
Defense	---
Fines	---
<b>Sub-total</b>	---
<b>PCI</b>	---
Fines	---
<b>Business Interruption</b>	---
Lost Income	---
System Recovery	---
<b>Sub-total</b>	---

**Total Cost: \$57,000** **Per-Record Cost: \$28.50**



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# Tools – Fines & Penalties

## Fines and Penalties

Type of Action: 
 Country: 
 Breach Sector: 
 Sort By Amount: 
[Show Results](#)

Show:  entries
 Search:

Organization	Business Sector	Breach Date	Records Exposed	Type of Action	Regulatory Agency / Type of Lawsuit	Amount	Country	Loss Cause
Oregon Health & Science University	Education	2013	7,066	Regulatory	Department of Health and Human Services (HHS)	\$2,700,000	United States	Lost/Stolen Laptop/Device
Columbia University	Education	2010	6,800	Regulatory	Department of Health and Human Services (HHS)	\$1,500,000	United States	Glitch
The University of Washington School of Medicine	Education	2013	90,000	Regulatory	Department of Health and Human Services (HHS)	\$750,000	United States	Malware/Virus
University of Massachusetts Amherst	Education	2013	1,670	Regulatory	Department of Health and Human Services (HHS)	\$650,000	United States	Malware/Virus
University of Hawaii	Education	2009	90,000	Legal	Class Action	\$550,000	United States	Other
University of Miami	Education	2013	Unknown	Legal	Class Action	\$100,000	United States	Lost/Stolen Laptop/Device

Showing 1 to 6 of 6 entries Previous  Next

# Tools – Publicized Breach Events

## Publicized Breach Events

Country/Region:  Industry Sector:  Possible Cause:  Breach Scope:

Data Type:  Breach Month:  Breach Year:  Lawsuit Filed:

[Show Results](#)

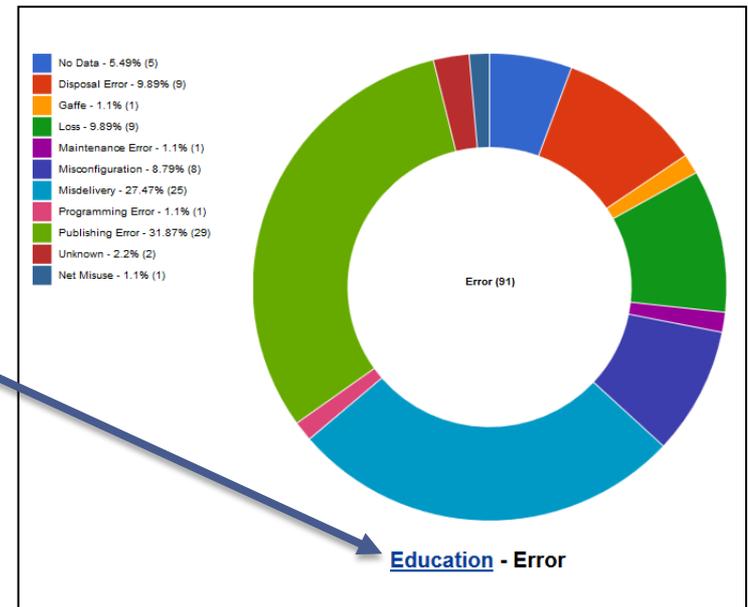
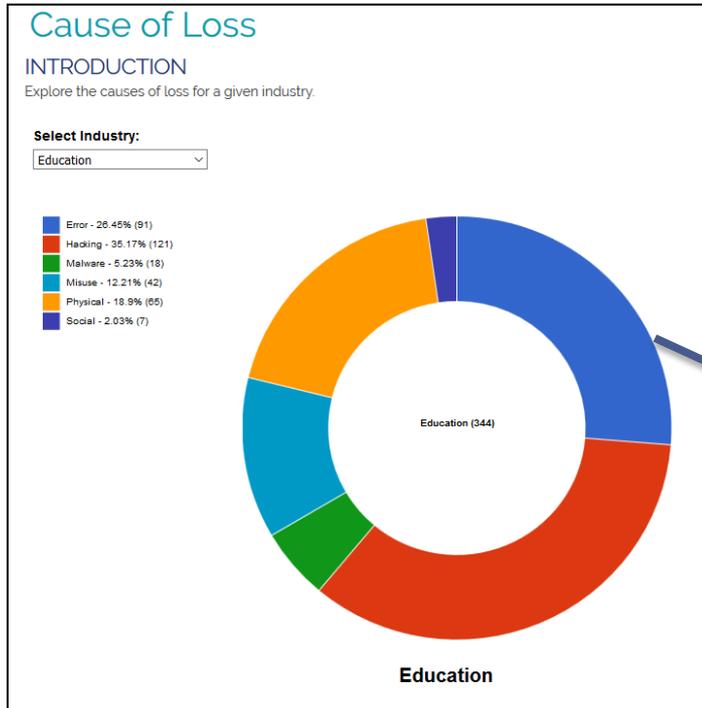
Show

entries

Search:

Organization / Company Breached	Year of Breach	Business Sector	Possible Cause	Records Affected	Data Type	Lawsuit Filed	Description
Albright College	2011	Education	Theft	10,000	PII	Unknown	Albright College in Reading is putting its current, prospective, and f...
Arizona State University	2012	Education	Hacker	Unknown	PII	Unknown	Arizona State University restored service to its main online computer ...
Arkansas State University	2014	Education	Hacker	50,000	PII	Unknown	The Arkansas Department of Human Services has notified Arkansas State ...
Auburn University	2013	Education	Staff mistake	Unknown	PII	Unknown	The School of Forestry and Wildlife Sciences at Auburn University rece...
Auburn University	2015	Education	System glitch	364	PII	Unknown	Thousands of students who never even applied to Auburn University have...

# Tools – Cause of Loss



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# Tools – Sample Security Policies (free)

## Sample Policies

- [Acceptable Use Policy](#)
- [Antivirus and Malware Policy](#)
- [Incident Response Plan Policy](#)
- [Information Security Policy](#)
- [MDM-BYOD Auto-Wipe Waiver](#)
- [Mobile Computing Policy](#)
- [Personal Device Use \(BYOD\) Policy](#)
- [Physical Security Policy](#)
- [Posting and Removal of Online Content](#)
- [Sample Information Security Policy Template](#)
- [Security Awareness Training and Education Policy](#)
- [Security Policy 101 - Essential Policies for Business](#)
- [Sensitive Information Handling](#)
- [Social Networking Acceptable Use](#)
- [Web Site Privacy Policy](#)



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# Cyber Risk Blog - Junto



JUNTO  
by eRiskHub®  
Exchanging ideas on cyber risk  
& privacy liability

## JETRO V. MASTERCARD: NEW CONCERNS FOR MERCHANTS AND INSURERS

 Posted by [Mark Greisiger](#)

**A Q&A with Doug Meal**

The brave new world of cyber liability got a lot more complicated last May. That's when the Jetro Holdings LLC v MasterCard Inc. case held that if a card brand withholds merchant funds to satisfy the brand's PCI fines and assessments following a data breach, the merchant has no legal recourse against the brand—even if the brand acted unlawfully in imposing the fines and assessments in the first place. I talked to attorney Doug Meal of Ropes & Gray, LLP, to explore this case and its implications for retailers and their insurers.

Can you please provide an overview of this case and explain why both clients and their cyber liability insurers should be concerned about the ruling and overall outcome?

Jetro is a restaurant supply merchant that suffered a data security breach back in 2011 and a second one in 2012. Efforts were made by the criminals to steal payment card data from Jetro during the breaches, but the criminals were never caught and there has never been confirmation that account data was actually stolen. Nonetheless, MasterCard asserted that Jetro was liable, under its rules, for \$6.5 million in fines, fees and assessments, and based on that assertion MasterCard withheld \$6.5 million of funds that Jetro was due for purchases Jetro customers had made using MasterCard-branded payment cards.

Jetro believes MasterCard acted in violation of its own rules and New York law in imposing and collecting the \$6.5 million. The wrinkle is that, because MasterCard doesn't enter into contracts directly with merchants like Jetro—but instead contracts with

“ The trial court's decision should be of grave concern to both merchants and the cyber insurers who insure them against liabilities they may incur in the context of cyber events. This decision, if it stands up on appeal, means that a merchant will have

Example topics (interviews):

- **Sorting Out the Consequences of PCI Data Security Noncompliance**
- [Revisiting PCI](#)
- [Mobile Payments: How Much Risk Is Too Much?](#)
- [EMV and Payment Security: What's Next](#)
- [Backoff Malware: A POS Nightmare](#)
- [Keeping Up With Payment Card Industry Data Security Standards](#)
- [Using Data Security Policy Templates to Maximum Effect](#)
- [Payment Cards and Data Breaches](#)

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Thank you!

Mark Greisiger  
NetDiligence<sup>®</sup>

[Mark.Greisiger@NetDiligence.com](mailto:Mark.Greisiger@NetDiligence.com)

610.525.6383



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