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CYBERSECURITY

Takeaways from WannaCry

There have been multiple reports on WannaCry, and if you are reading this and don't know what WannaCry is, Google it for the background story. The clear message is that this is not the last major attack we will see and that future attacks will only get more sophisticated. It is estimated that the cost associated with responding to WannaCry will exceed $4 billion. We have compiled a list of takeaways for addressing future situations. *Read more*

ABA Issues Opinion on Use of Email for Lawyers

On May 11, 2017, the American Bar Association (ABA) updated its 1999 opinion regarding lawyers' use of email for communication (see Formal Opinion 477). Although many state bar associations have issued opinions on electronic communications and the use of cloud computing services, the ABA has now provided clear guidance for lawyers on their ethical responsibilities of competence, confidentiality, and communication in an electronic age. *Read more*

DATA BREACH

DocuSign Breach Leads to Email Malware Campaign Requesting Wire Transfers

DocuSign, an electronic signature technology company, has admitted it suffered a breach of one of its computer systems - resulting in stolen data, including customer and user email addresses. The breach has allowed the hackers to target DocuSign customers and users to send phishing emails requesting wire transfers. This is particularly concerning because so many companies use DocuSign for electronic signatures, and employees may not be alert or wary of receiving an email from DocuSign requesting authority to transfer funds. *Read more*

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FEATURED AUTHORS:

Pamela H. Del Negro
Linn Foster Freedman
Benjamin C. Jensen
Kathryn M. Rattigan

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Misconfigured Backup Server Exposes 7,000-Plus Medical Records

A misconfigured backup server hosted by iHealth Solutions, a medical records technology vendor, resulted in exposure of over 7,000 medical records, some containing sensitive information. The records, involving patients seen at Bronx-Lebanon Hospital Center in New York City, from 2014 to 2017, include patients' names, addresses, HIV status, mental health diagnoses, and addiction histories, as well as sexual assault and domestic violence reports. The leak was discovered by a team of researchers at MacKeeper Security Research Center, who were conducting a routine Internet sweep. It is not clear how long the records were exposed. According to reports, there is no indication that the information has been used inappropriately. *Read more*

Brooks Brothers Reports Payment Card Data Breach

Here is a lawyer's nightmare: retailer Brooks Brothers announced late last week that it has become the newest retailer to suffer a payment card data breach. According to Brooks Brothers, who is calling this a "data incident," payment card information from certain locations of Brooks Brothers and Brooks Brothers outlets in the United States and Puerto Rico were compromised between April 4, 2016, and March 1, 2017. The compromised information included name, card number, and security code. No debit cards, nor any airport locations, were affected. *Read more*

ENFORCEMENT + LITIGATION

Fourth Circuit Vacates $12M FCRA Class Action Judgment Against Experian

On May 11, 2017, the Fourth Circuit Court of Appeals vacated a $12 million judgment against Experian Information Solutions, Inc. (Experian) in a class action against the credit reporting bureau alleging violations of the Fair Credit Reporting Act (FCRA). Relying on the standard set forth by the U.S. Supreme Court in *Spokeo, Inc. v. Robins*, the circuit court held that the named plaintiff lacked constitutional standing because he suffered no "concrete" injury from the alleged statutory violation. *Read more*

DRONES

Updated Drone Statistics in the Commercial Industry

The commercial drone market is booming. While estimates certainly

vary, many research firms say that the worldwide market value will rise from $2 billion today to over $10 billion within the next 10 years. Similar to the GPS and Internet boom, drones are evolving beyond their military origin to become powerful business tools. *Read more*

PRIVACY TIP #88

The Challenge of Keeping Up with Patches

Over the past week, many clients and individuals have asked me why some companies and health care facilities were devastated by the WannaCry ransomware while others made it through the weekend without blink of an eye.

Simplistically, it is because those who pay attention to security patches they receive from technology vendors (like Microsoft in this case) protect their networks better than those who don't. And the thieves (primarily in China) who bought pirated software got their just desserts for stealing the software and, therefore, not receiving the patch from Microsoft.

My IT friends tell me that it's a challenge to stay on top of all the vulnerability patches they receive every day from technology companies, and they have a difficult time prioritizing the pushes. The WannaCry attack emphasizes how important it is to push those patches when they are received from technology companies and to make their prompt implementation a priority in a risk management plan.

Most reports of the WannaCry attack label it a "wake-up call" to the health care industry (and obviously other industries) that bigger and more widespread attacks are on the way. Implementing patches when they are pushed out by technology companies are an effective way to protect an organization from a known vulnerability. The technology companies are not sending these pushes out because they have nothing better to do. They are pushing them out to protect their customers, including you, from vulnerabilities they are aware of. So, if they know about them, so do the hackers.

Although it is difficult to keep up with vulnerability patches, last weekend was a great reminder of how important they are for protection and for your risk management program.