

Summary Table of Contents

	<i>Main Volume</i>	<i>Supple- ment</i>
PREFACE.....	v	v
ABOUT THE AUTHOR AND CONTRIBUTOR.....	ix	ix
ACKNOWLEDGMENTS.....	xi	xi
DEDICATION.....	xiii	xiii
DETAILED TABLE OF CONTENTS	xix	xix

Part I SOURCES OF LIABILITY

CHAPTER 1	A DEVELOPING CRISIS	1	1-1
CHAPTER 2	DATA PROTECTION AND DISCLOSURE OBLIGATIONS FOR FINANCIAL INSTITUTIONS	17	2-1
CHAPTER 3	SPECIAL PROBLEMS IN THE HEALTH CARE INDUSTRY	47	3-1
CHAPTER 4	THE FEDERAL STATUTORY LANDSCAPE BEYOND THE FINANCIAL AND HEALTH CARE INDUSTRIES	83	4-1
CHAPTER 5	PRIVACY ISSUES RELATING TO GOVERNMENT RECORDS	165	5-1
CHAPTER 6	STATE LAWS GOVERNING CYBERSECURITY, CONSUMER DATA, AND PRIVACY PROTECTION	197	6-1
CHAPTER 7	DATA BREACH AND PRIVACY LIABILITY BEYOND FEDERAL AND STATE STATUTES	225	7-1

Part II
AVOIDING OR MINIMIZING LITIGATION RISK

CHAPTER 8	INTERNAL CONTROLS	253	8-1
CHAPTER 9	INCIDENT RESPONSE	285	9-1

Part III
LITIGATION TACTICS

CHAPTER 10	PRE-LITIGATION ISSUES	305	10-1
CHAPTER 11	LITIGATION STRATEGIES ARISING FROM DATA BREACH AND CYBERSECURITY DISPUTES	315	11-1
CHAPTER 12	AFFIRMATIVE DEFENSES APPLICABLE TO DATA BREACH AND PRIVACY LITIGATION	389	12-1
CHAPTER 13	DAMAGES	425	13-1
APPENDIX 1	STATE STATUTES	445	—
Appendix 1.A.	State Computer Crime Statutes	447	A1-3
Appendix 1.B.	Security Breach Notification Laws	449	A1-5
Appendix 1.C.	State Identity Theft Laws	451	—
Appendix 1.D.	State Spyware Statutes	453	A1-7
Appendix 1.E.	State Wiretap Statutes	455	—
Appendix 1.F.	State Anti-Spam statutes [New Appendix]	—	A1-9
APPENDIX 2	ENFORCEMENT ACTIONS	465	—
Appendix 2.A.	FTC Allegations/Settlements Relating to Data Privacy and/or Breaches	467	—
Appendix 2.B.	Selected FTC Allegations/Settlements Relating to Violations of the Fair Credit Reporting Act Involving Data Privacy or Representations Regarding Financial Data	483	—
APPENDIX 3	GUIDELINES AND RESOLUTIONS	489	—
Appendix 3.A.	Best Practices for Victim Response and Reporting of Cyber Incidents	491	—
Appendix 3.B.	Computer Security Incident Handling Guide	507	—

Summary Table of Contents

xvii

	<i>Main Volume</i>	<i>Supple- ment</i>
Appendix 3.C. House Bill 624 on Sharing Certain Cyber Threat Intelligence.	587	A3-3
Appendix 3.D. Making Your Privacy Practices Public.....	615	—
TABLE OF CASES	643	T-1
INDEX	665	—