

Companies today face unprecedented cyber and physical security challenges. They must protect against physical risks associated with natural disasters, accidents, acts of sabotage, terrorism and theft. In the cyber realm, they must safeguard their mission-critical information assets against hackers using sophisticated means to launch destructive malware attacks on networks and Internet-connected operational technology, disrupt services and operations, engage in economic espionage, or steal personal and financial information for monetary gain.

In the face of these evolving cyber and physical threats, businesses must navigate through an increasingly complex legal and policy environment as they address risks to their networks and data, power plants, electricity substations, railroads, vehicles, airplanes and airports, ships and ports, telecommunications facilities, factories, buildings and other facilities. This environment is being shaped by new developments and evolving security standards in statutes, regulations and litigation.



Hunton & Williams LLP's cyber and physical security task force assists companies in protecting the security and resilience of their infrastructure facilities against cyber and physical threats. We work seamlessly together to help clients in the following service areas:

- ▶ Incident response
- ▶ Risk management and preparedness
- ▶ Insurance coverage and SAFETY Act certifications
- ▶ Compliance with security requirements
- ▶ Dispute resolution and litigation
- ▶ National security, law enforcement and government access to data
- ▶ Policy advocacy and congressional investigations

## Our Group

Combining talented lawyers from a number of practice areas, Hunton & Williams' cyber and physical security task force works with companies to minimize the risks and consequences of a serious security incident. These areas include:

- Global privacy and cybersecurity
- Cyber investigations and privacy litigation
- Energy infrastructure
- Environmental
- Health care
- Outsourcing and technology
- Insurance counseling and recovery
- Labor, employment and OSHA
- Corporate governance and SEC enforcement
- Competition
- Government relations
- Intellectual property
- White collar defense and internal investigations

## Our Services

Hunton & Williams' cyber and physical security task force works with companies in all sectors to reduce the risks of a security incident.

### Incident Response

We have assisted companies in more than 1,000 data breaches, cyber incidents and major physical security emergencies. We provide comprehensive incident response assistance in managing the full panoply of activities associated with a significant cyber or physical security incident, including (1) conducting internal investigations; (2) engaging with law enforcement and regulatory agencies; (3) ensuring compliance with individual notification requirements and government reporting obligations; (4) preparing for litigation and advising on information retention obligations; (5) managing public relations, employee communications and investor relations; (6) managing legislative inquiries and preparing executives for hearings; and (7) handling the ensuing

class action lawsuits, government enforcement actions and alternative dispute resolution proceedings.

### **Risk Management and Preparedness**

Our lawyers have significant experience assisting clients in reducing the risks and consequences of major cyber and physical events. We assist with security readiness and incident response preparedness, including assistance with (1) corporate governance structure; (2) security policies and incident response plans, procedures and toolkits; (3) information-sharing arrangements with government agencies and industry centers; (4) table-top exercises; (5) third-party vendor contracts and management; (6) insider threat programs; and (7) employee training programs.

### **Insurance Coverage and SAFETY Act Certifications**

Our lawyers assist companies with insurance coverage for cyber and physical security incidents and the recovery of insurance proceeds in the event of an incident. We also have significant experience helping companies reduce liability exposure by obtaining a certification or designation under the Support Anti-Terrorism by Fostering Effective Technologies (SAFETY) Act.

### **Compliance with Security Requirements**

We regularly work with clients on regulatory and statutory compliance requirements. Our lawyers help companies comply with the state breach notification laws and numerous regulations and guidance issued by federal and state agencies. Outside of the United States, we utilize the experience of our team members in the UK, Belgium and Beijing, and our worldwide network of leading local data protection lawyers to help clients comply with foreign legal requirements.

### **Dispute Resolution and Litigation**

We assist clients with dispute resolution regarding cyber and physical events, including investigations by the FBI, US Secret Service and other law enforcement agencies; enforcement actions by the DOJ, FTC, PHMSA, FERC, SEC, OSHA and state attorneys general; individual and class action litigation regarding liability, insurance coverage, contractual obligations and other issues in federal and state courts; and alternative dispute resolution proceedings.

### **National Security, Law Enforcement and Government Access to Data**

We assist companies on a wide range of compliance issues relating to national security and law enforcement authorities and to government access to data. This includes advice on (1) privacy requirements and government authority under FISA, the Patriot Act, the USA Freedom Act, ECPA and other laws; (2) the jurisdictional reach of US courts as affected by corporate structure and data control arrangements; (3) requirements relating to security clearances and classified information; (4) obtaining CFIUS approval for acquisitions of US companies with sensitive facilities and technologies; and (5) regulations relating to foreign entities that are subject to the Foreign Agent Registration Act.

### **Policy Advocacy and Congressional Investigations**

We advise on executive branch and congressional activity relating to cyber and physical security, including policies and programs, pending legislation, hearings, inquiries and investigations. We have substantial experience representing clients in high-profile investigations by Congress, while protecting applicable privileges and avoiding conflicts. We maintain strong relationships with officials in Congress, the administration and federal regulatory bodies, as well as with state legislatures, executive and regulatory branches, local governing bodies and international forums.

## **Task Force Leaders**

**Paul M. Tiao**  
ptiao@hunton.com

**Lisa J. Sotto**  
lsotto@hunton.com

**Kevin W. Jones**  
kjones@hunton.com