Incident Response Plan

Policy Owner: Mark Kelly

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Purpose

This document establishes the plan for managing information security incidents and events, and offers guidance for employees or incident responders who believe they have discovered, or are responding to, a security incident.

Scope

This policy covers all information security or data privacy events or incidents.

Incident and event definitions

A security event is an observable occurrence relevant to the confidentiality, availability, integrity, or privacy of company controlled data, systems or networks.

A security incident is a security event which results in loss or damage to the confidentiality, availability, integrity, or privacy of company controlled data, systems or networks.

Reporting

If a NewEdge Growth LLC employee, contractor, user, or customer becomes aware of an information security event or incident, possible incident, imminent incident, unauthorized access, policy violation, security weakness, or suspicious activity, then they shall immediately report the information using one of the following communication channels:

- Email help@newedgegrowth.com information or reports about the event or incident

Reporters should act as a good witness and behave as if they are reporting a crime. Reports should include specific details about what has been observed or discovered.

Severity

Executive Leadership shall monitor incident and event tickets and shall assign a ticket severity based on the following categories.

P2/P3 - Medium and Low Severity

Issues meeting this severity are simply suspicions or odd behaviors. They are not verified and require further investigation. There is no clear indicator that systems have tangible risk and do not require emergency response. This includes lost/stolen laptop with disk encryption, suspicious emails, outages, strange activity on a laptop, etc.

P1 - High Severity

High severity issues relate to problems where an adversary or active exploitation hasn't been proven yet, and may not have happened, but is likely to happen. This may include lost/stolen laptop without encryption, vulnerabilities with direct risk of exploitation, threats with risk or adversarial persistence on our systems (e.g., backdoors, malware), malicious access of business data (e.g., passwords, vulnerability data, payments information).

P0 - Critical Severity

Critical issues relate to actively exploited risks and involve a malicious actor or threats that put any individual at risk of physical harm. Identification of active exploitation is required to meet this severity category.

Escalation and internal reporting

The incident escalation contacts can be found below in Appendix A.

Severity	Escalation Path
P0 - Critical Severity	P0 issues require immediate notification to IT and/or Engineering management.
P1 - High Severity	A support ticket must be created and the appropriate manager (see P0 above) must also be notified via email or Slack with a reference to the ticket number.
P2/P3 - Medium and Low Severity	A support ticket must be created and assigned to the appropriate department for response.

Documentation

All reported security events, incidents, and response activities shall be documented and adequately protected in HubSpot Service Hub Pipeline.

A root cause analysis may be performed on all verified P0 security incidents. A root cause analysis report shall be documented and referenced in the incident ticket. The root cause analysis shall be reviewed by the Executive Leadership who shall determine if a post-mortem meeting will be called.

Incident response process

For critical issues, the response team will follow an iterative response process designed to investigate, contain exploitation, eradicate the threat, recover system and services, remediate vulnerabilities, and document a post-mortem report including the lessons learned from the incident.

Summary

- Event reported
- Triage and analysis
- Investigation
- Containment & neutralization (short term/triage)
- Recovery & vulnerability remediation
- Hardening & Detection improvements (lessons learned, long term response)

Detailed

- IT Manager or VP of Support will manage the incident response effort
- If necessary, a central "War Room" will be designated, which may be a physical or virtual location (i.e Slack channel)
- A recurring Incident Response Meeting will occur at regular intervals until the incident is resolved
- Legal and executive staff will be informed as required

Incident response meeting agenda

- Update Incident Ticket and timelines
- Document new Indicators of Compromise (IOCs)
- Perform investigative Q&A
- Apply emergency mitigations
- External Reporting / Breach Reporting
- Plan long term mitigations
- Document Root Cause Analysis (RCA)
- Additional items as needed

Special considerations

Internal issues

Issues where the malicious actor is an internal employee, contractor, vendor, or partner requires sensitive handling. The incident manager shall contact CEO or COO directly and will not discuss with other employees. These are critical issues where follow-up must occur.

Compromised communication

Incident responders must have Slack, Email arranged before listing themselves as part of the incident response team. If there are IT communication risks, an out of band solution will be chosen, and communicated to incident responders via Cell phone.

Root account compromise

If an AWS root account compromise is known or expected, refer to the playbook in Appendix D.

Additional requirements

- Suspected and reported events and incidents shall be documented
- Suspected incidents shall be assessed and classified as either an event or an incident
- Incident response shall be performed according to this plan and any associated procedures.
- All incidents shall be formally documented, and a documented root cause analysis shall be performed
- Incident responders shall collect, store, and preserve incident-related evidence in accordance with industry guidance and best practices such as NIST SP 800-86 'Guide to Integrating Forensic Techniques into Incident Response'
- Suspected and confirmed unauthorized access events shall be reviewed by the Incident Response Team. Breach determinations shall only be made by the CEO and Leadership Team
- NewEdge Growth LLC shall promptly and properly notify customers, partners, users, affected parties, and regulatory agencies of relevant incidents or breaches in accordance with NewEdge Growth LLC policies, contractual commitments, and regulatory requirements, as determined by the CEO and Leadership Team
- This Incident Response Plan shall be reviewed and formally tested at least annually. Results of IR plan testing activities including findings and lessons learned will be formally documented and maintained to support security, compliance and audit requirements

External communications and breach reporting

Legal and executive staff shall confer with technical teams in the event of unauthorized access to company or customer systems, networks, and/or data. Legal staff along with the CEO shall determine if breach reporting or external communications are required. Breaches shall be reported to customers, consumers, data subjects and regulators without undue delay and in accordance with all contractual commitments and applicable legislation.

No personnel may disclose information regarding incident or potential breaches to any third party or unauthorized person without the approval of legal and/or executive management.

Mitigation and remediation

Legal and executive staff shall determine any immediate or long term mitigations or remedial actions that need to be taken as a result of an incident or breach. In the event that mitigations or remedial actions are needed, executive staff shall direct personnel with respect to planning, communicating and executing those activities.

Cooperation with customers, Data Controller, and authorities

As needed and determined by legal and executive staff, the company shall cooperate with customers, Data Controllers and regulators to fulfill all of its obligations in the event of an incident or data breach.

Roles & responsibilities

Every employee and user of any NewEdge Growth LLC information resources has responsibilities toward the protection of the information assets. The table below establishes the specific responsibilities of the incident responder roles.

Response Team Members

Role	Responsibility
Incident Manager	The Incident Manager is the primary and ultimate decision maker during the response period. The Incident Manager is ultimately responsible for resolving the incident and formally closing incident response actions. See Appendix A for Incident Manager contact information. These responsibilities include: • Ensuring the right people from all functions are actively involved as appropriate • Communicating status updates to the appropriate person or teams at regular intervals • Resolving incidents in the immediate term • Determining necessary follow-up actions • Assigning follow-up activities to the appropriate people • Promptly reporting incident details which may trigger breach reporting, in writing to the CEO
Incident Response Team (IRT)	The individuals who have been engaged and are actively working on the incident. All members of the IRT will remain engaged in incident response until the incident is formally resolved, or they are formally dismissed by the Incident Manager.
Engineers (Support and Development)	Qualified engineers will be placed into the on-call rotation and may act as the Incident Manager (if primary resources are not available) or a member of the IRT when engaged to respond to an incident. Engineers are responsible for understanding the technologies and components of the information systems, the security controls in place including logging, monitoring, and alerting tools, appropriate communications channels, incident response protocols, escalation procedures, and documentation requirements. When Engineers are engaged in incident response, they become members of the IRT.
Users	Employees and contractors of NewEdge Growth LLC. Users are responsible for following policies, reporting problems, suspected problems, weaknesses, suspicious activity, and security incidents and events.
Customers	Customers are responsible for reporting problems with their use of NewEdge Growth LLC services. Customers are responsible for verifying that reported problems are resolved.
Legal Counsel	Responsible, in conjunction with the CEO and executive management, for determining if an incident presents legal or regulatory exposure as well as whether an incident shall be considered a reportable breach. Counsel shall review and approve in writing all external breach notices before they are sent to any external party.
Executive Management	Responsible, in conjunction with the CEO and Legal Counsel, for determining if an incident shall be considered a reportable breach. An appropriate company officer shall review and approve in writing all external breach notices before they are sent to any external party. NewEdge Growth LLC shall seek stakeholder consensus when determining whether a breach has occurred. The NewEdge Growth LLC CEO shall make a final breach determination in the event that consensus cannot be reached.

Management commitment

NewEdge Growth LLC management has approved this policy and commits to providing the resources, tools and training needed to reasonably respond to identified security events and incidents with the potential to adversely affect the company or its customers.

Exceptions

Requests for an exception to this Policy must be submitted to and authorized by the CEO for approval. Exceptions shall be documented.

Violations & enforcements

Any known violations of this policy should be reported to the CEO. Violations of this policy may result in immediate withdrawal or suspension of system and network privileges and/or disciplinary action in accordance with company procedures up to and including termination of employment.

Version history

Version	Date	Description	Author	Approver
1.0	Nov 13, 2024	Version 1.0	Mark Kelly	Mark Kelly

Appendix A — Contact information

Contacts for IT and Engineering Management as well as executive staff and can be found Company Contact List .

Appendix B — Incident collection form

General Information		
Incident detector's information		
Name:	_____	**Date and**
Title:	_____	**Location**
Phone:	_____	**Additiona**
Email:	_____	

Incident Summary		
Type of incident detected:		
Denial of service	Unauthorized use	Espionage
Malicious code	Unauthorized access	Other:

Incident location

Site: _____

Site point of contact: _____

Phone: _____

Email: _____

How was the incident detected:

_____

Additional information:

_____

Location(s) of affected systems:

_____

Date and time incident handlers arrived at site: _____

Describe affected information system(s) (one form per system is recommended)

Hardware manufacturer: _____

Serial number: _____

Corporate property number (if applicable): _____

Is the affected system connected to a network? Yes

Describe the physical security of the location affected information systems (locks, security alarms, building acces

_____

_____

Isolate affected systems

Approval to remove from network Yes

If YES, Name of approver: _____

Date and time removed: _____

If NO, state the reason: _____

Backup of affected system(s):

Last system backup successful? Yes

Name of the persons who did backup: _____

Date and time last backups started: _____

Date and time last backups completed: _____

Backup storage location: _____

Incident eradication:

Name of persons performing forensics: _____

Was the vulnerability (root cause) identified: Yes

Describe:

_____

_____

How was eradication validated:

_____

_____

Appendix C — HIPAA Breach Procedures for Protected Health Information (PHI)

Procedures

In the event that NewEdge Growth LLC identifies a potential breach of PHI occurs, the following procedures shall be followed.

Step 1: Identification (Discovery)

A breach of PHI will be deemed "discovered" as of the first day NewEdge Growth LLC knows of the breach or, by exercising reasonable diligence, would or should have known about the breach.

If a potential breach is discovered, it is very time sensitive and must be immediately reported.

The following is full description of what constitutes PHI

- PHI is any health information that can be tied to an individual to include the following:
    1. Names (Full or last name and initial)
    2. All geographical identifiers smaller than a state, except for the initial three digits of a zip code if, according to the current publicly available data from the U.S. Bureau of the Census: the geographic unit formed by combining all zip codes with the same three initial digits contains more than 20,000 people; and the initial three digits of a zip code for all such geographic units containing 20,000 or fewer people is changed to 000
    3. Dates (other than year) directly related to an individual including birth date, admission date, discharge date, date of death; and all ages over 89 and all elements of dates (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older.
    4. Phone numbers
    5. Fax numbers
    6. Email addresses
    7. Social Security numbers
    8. Medical record numbers
    9. Health insurance beneficiary numbers
    10. Account numbers
    11. Certificate/license numbers
    12. Vehicle identifiers (including serial numbers and license plate numbers)
    13. Device identifiers and serial numbers
    14. Web Uniform Resource Locators (URLs)
    15. Internet Protocol (IP) address numbers
    16. Biometric identifiers, including finger, retinal and voice prints
    17. Full face photographic images and any comparable images
    18. Any other unique identifying number, characteristic, or code except the unique code assigned by the investigator to code the data

There are also additional standards and criteria to protect individuals' privacy from reidentification. Any code used to replace the identifiers in datasets cannot be derived from any information related to the individual and the master codes, nor can the method to derive the codes be disclosed. For example, a subject's initials cannot be used to code their data because the initials are derived from their name. Additionally, the researcher must not have actual knowledge that the research subject could be re-identified from the remaining identifiers in the PHI used in the research study. In other words, the information would still be considered identifiable if there was a way to identify the individual even though all of the 18 identifiers were removed.

Step 2: Initial Reporting / Escalation

If there is belief that a potential breach of PHI has occurred, the designated Security and/or Privacy Officer, or their designated representative, must be immediately notified.

Please provide all of the information available at the time of the initial regarding the potential breach, to include the following:

- Names

- Dates
- The nature of the PHI potentially breached
- The manner of the disclosure (fax, email, mail, verbal)
- All personnel involved
- The recipient
- All other persons with knowledge
- Any associated written or electronic documentation that may exist.

Notification and associated documentation may itself contain PHI and should only be given to the designated Security and/or Privacy Officer, or their designated representative.

Do not discuss the potential breach with anyone else, and do not attempt to conduct an investigation as these tasks will be performed by the designated Security and/or Privacy Officer, or their designated representative.

Step 3: Investigation
Upon receipt of notification of a potential breach the designated Security and/or Privacy Officer, or their designated representative shall promptly conduct an investigation.

The investigation shall include the following activities:

- Interviewing employees involved
- Collecting written documentation
- Completing all appropriate documentation
- Forensic investigation (optional depending on incident)

The designated Security and/or Privacy Officer, or their designated representative, shall retain all documentation related to potential breach investigations, in accordance with established record retention requirements, or for a minimum of six years, whichever is greater.

Step 4: Risk Assessment and Recommendation
Upon completion of the investigation, the designated Security and/or Privacy Officer, or their designated representative, shall perform a Risk Assessment to determine if the use or disclosure of PHI constitutes a breach and requires further notification to the Covered Entity.

The designated Security and/or Privacy Officer, or their designated representative, shall appropriately document the Risk Assessment and make a recommendation to executive management and/or legal counsel regarding whether notification to the Covered Entity of the potential breach would be prudent.

When executing the risk assessment, a "reasoned judgment" standard will be applied to the incident which shall be fact specific, and shall include consideration of the following factors:

- Did the disclosure involve Unsecured PHI in the first place?
- Who impermissibly used or disclosed the Unsecured PHI?
- To whom was the information impermissibly disclosed?
- Was it returned before it could have been accessed for an improper purpose?
- What type of Unsecured PHI is involved and in what quantity?
- Was the disclosure made for any improper purpose?
- Is there the potential for significant risk of financial, reputational, or other harm to the individual whose PHI was disclosed?
- Was immediate action taken to mitigate any potential harm?
- Do any of the specific breach exceptions apply?

Step 5: Final Determination
NewEdge Growth LLC's executive management in collaboration with legal counsel shall, after review of the evidence and risk assessment, have final authority to determine whether a breach of PHI occurred and what, if any, further action is warranted.

Step 6: Notification
In the event that NewEdge Growth LLC's executive management and/or legal counsel determines that notice to the Covered Entity is warranted, NewEdge Growth LLC's executive management and/or legal counsel or the designated representative shall promptly prepare and transmit a notice to the Covered Entity.

A. *Timing of Notification*
NewEdge Growth LLC shall notify the Covered Entity "without unreasonable delay" but no later than 60 days after discovery and/or notification of the breach, as required by law.
NewEdge Growth LLC Service and Business Associate Agreements provides that NewEdge Growth LLC is an independent contractor; therefore, the Covered Entity's time to provide the requisite notice begins to run on the date that NewEdge Growth LLC notifies the Covered Entity of the breach.

B. *Delay of Notification*
- Unjustified Delay
  If it appears to the designated Security and/or Privacy Officer, or their designated representative, that their investigation will not be completed within a reasonable time, executive management and/or legal counsel shall be informed to ensure that the Covered Entity will be notified before completion of the investigation.
- Law Enforcement Delay
  A delay in notification is permissible if a law enforcement official states that a breach notification would impede a criminal investigation or cause damage to national security
  - If a law enforcement request is received, the law enforcement statement must be in writing and must specify the length of the delay required.
  - If the request for a delay in notification is oral, NewEdge Growth LLC must document the statement and request written confirmation within 30 days. If no written request for a delay is received within that time, NewEdge Growth LLC must send notification of the breach to the Covered Entity.
- Content of Notification
  Any notification to the Covered Entity (CE) provided by NewEdge Growth LLC shall include all information as required by law, but at a minimum, will contain the following content:
  - Identification of each individual whose PHI is believed to have been breached
  - The date of the incident discovery
  - The date of disclosure
  - The facts and circumstances surrounding the disclosure
  - All associated documentation
  - All other available information known to NewEdge Growth LLC that the Covered Entity will be required to include in its own Notice to the individual(s).

Any additional information regarding the breach that NewEdge Growth LLC discovers after the initial notice to the Covered Entity be promptly provided to the Covered Entity as required by law.

Any notice to the Covered Entity shall be sent via first class mail with a return receipt requested and the return receipt as well as a copy of the Covered Entity Notice shall be kept with related documentation and retained in accordance with established record retention requirements or for a minimum of six years, whichever is greater.

Step 7: Documentation
All phases of the process must be documented in detail on a case-specific basis, in a manner sufficient to demonstrate that all appropriate steps were completed. All supporting documentation associated with the potential breach shall be kept on file in accordance with established record retention requirements or for a minimum of six years, whichever is greater.

HIPAA Breach Check List

- Following any actual or suspected breach of unsecured electronic protected health information (ePHI), NewEdge Growth LLC must notify the affected Covered Entity (CE).
- Notify the Security Officer and/or Privacy Officer and Legal of a suspected ePHI breach, within four (4) hours.
- Incident Response Team investigates suspected breach and execute risk assessment to verify if ePHI data has been compromised.
- Incident Response Team shall complete a Breach Notification Report

- Incident Response Team provides the completed Breach Notification Report to the Security Officer and/or Privacy Officer for review and approval
- Security and/or Privacy Officer review and approve the submitted Breach Notification Report
- Security and/or Privacy Officer provide a copy of the final Breach Notification Report to NewEdge Growth LLC Legal department within one (1) business day after approval
- Legal reviews Breach Notification Report and submits the report to the Covered Entity through approved communication channels
- Legal will ensure that notification to the Covered Entity occurs no later than sixty (60) calendar days following the initial discovery of a breach or suspected breach, unless delayed by an appropriate law enforcement agency.

HIPAA Breach Notification Content and Template
The Breach Notification Report to the Covered Entity (CE) notification must include the following information.

- Identification of each individual associated with the affected Covered Entity (CE) whose ePHI was suspected to have been accessed, acquired, used, or disclosed (to the extent possible).
- Any other information that the covered entity is required to include in notification to the affected individual under CFR 164.404(c) which includes:
    - A brief description of what happened, including the date of the breach and the date of the discovery of the breach, if known.
    - A description of the types of unsecured protected health information that were involved in the breach (such as whether full name, social security number, date of birth, home address, account number, diagnosis, disability code, or other types of information were involved).
    - Any steps individuals should take to protect themselves from potential harm resulting from the breach.

HIPAA breach notification template

Information security: HIPAA / ePHI breach notification report	
Incident number: <###-MMYYYY or ticket #>	
Other incidents related to this incident:	
Breach incident status	(i.e., New, In progress, Forwarded for investigation, Resolved)
Incident summary	Description of what happened and is known to date
Incident description	Date and time incident discovered:
	Date and time incident reported:
	Date and time incident occurred:
	Place of incident:
	Personnel involved in incident:
	Type and volume of information involved:
	Accessibility/vulnerability of ePHI / Protective controls in place: (e.g. encryption, etc.):
	Indicators of compromise related to the incident:
	Root Cause of incident:
	Awareness of incident (who knows about it now):
Initial risk assessment	Number of individuals potentially affected:
	Potential privacy breach (Yes/No):
	Risk to individuals (types and extents):

	Financial risk to organization:
	Legal/contractual risk to organization:
	Regulatory risk to organization:
	Public relations risk to organization:
	ePHI accessed or modified in an unauthorized manner (Yes / No):
Steps taken	Current actions taken:
	Evidence gathered / Chain of custody:
	People contacted: (e.g., system owners, system administrators, Law enforcement, outside counsel, forensics investigators):
	Data breach services provider contacted:
	Agencies notified:
	Close or move to investigation phase and why:
Notification	Covered entity(s) (CE) affected:
	Date Covered entity(s) (CE) notified:
	Method(s) used to notify covered entity(s) (CE):
	Notification record (Ticket # documenting notification):
	System generated list of individuals affected attached (Required):
	Supporting details:
Recommendations	Immediate notification requirements: affected covered entities MUST be notified within sixty (60) days of a suspected breach.
	Priorities and considerations for further investigation
	Next steps to be taken (e.g., rebuild the host, upgrade an application, implement additional controls, etc.).
	Recommendations for affected individuals:

Appendix D — AWS root account compromise playbook

Objective

The objective of this runbook is to provide specific guidance on how to manage Root AWS account usage. This runbook is not a substitute for an in-depth Incident Response strategy. This runbook focuses on the IR lifecycle:

- Establish control
- Determine impact
- Recover as needed
- Investigate the root cause
- Improve

The Indicators of Compromise (IOC), initial steps (stop the bleeding), and the detailed CLI commands needed to execute those steps are listed below.

Assumptions

- CLI configured and installed
- Reporting process is already in place
- Trusted Advisor is active
- Security Hub is active

Indicators of Compromise

- Activity that is abnormal for the account.
    - Creation of IAM users
    - CloudTrail turned off
    - Cloudwatch turned off
    - SNS paused
    - Step Functions paused
- Launching of new or unexpected AMIs
- Changes to the contacts on the account

Steps to Remediate — Establish Control

AWS documentation for a possible compromised account calls out the specific tasks listed below. The documentation for a possible compromised account can be found at: What do I do if I notice unauthorized activity in my AWS account?

1. Contact AWS Support and TAM as soon as possible
2. Change and rotate Root password and add an MFA device associated with Root
3. Rotate passwords, access/secret keys, and CLI commands relevant to remediation steps
4. Review actions taken by the root user
5. Open the runbooks for those actions
6. Close incident
7. Review the incident and understand what happened
8. Fix the underlying issues, implement improvements, and update the runbook as needed

Further Action Items — Determine Impact

Review created items and mutating calls. There are may be items that have been created to allow access in the future. Some things to look at:

- IAM Cross account roles
- IAM Users
- S3 buckets
- EC2 instances