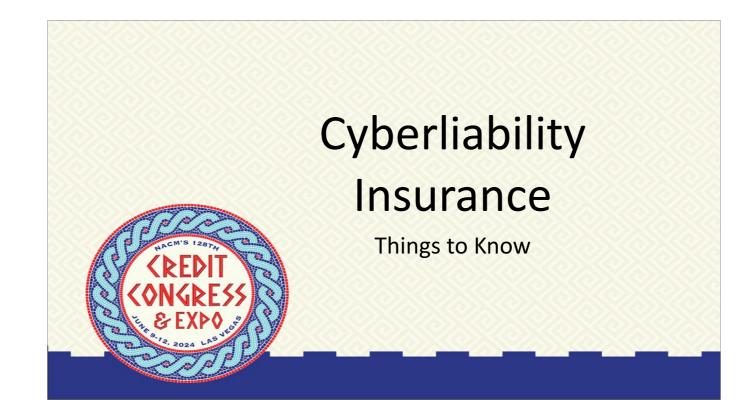
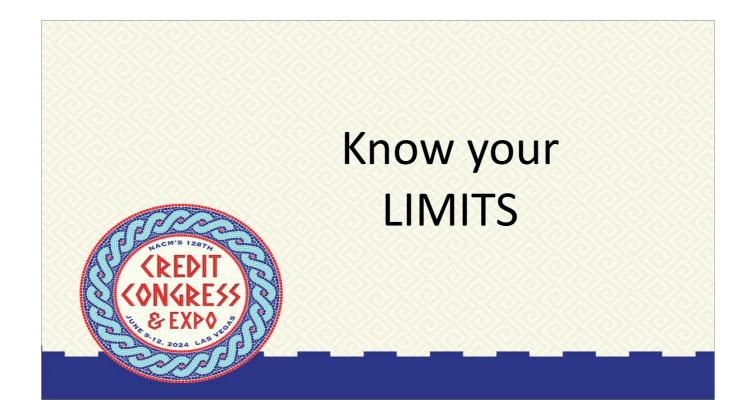
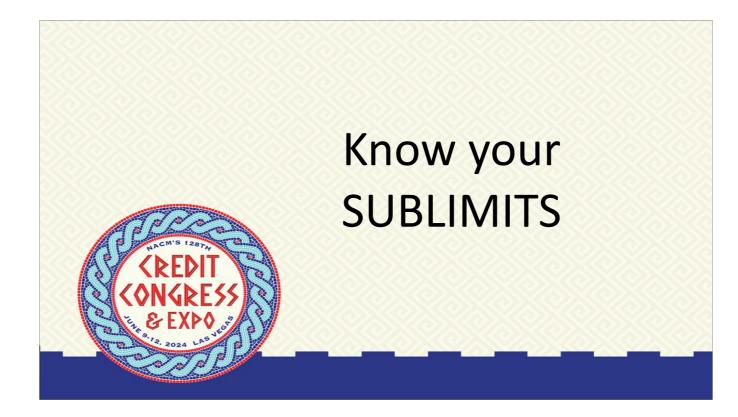
## Something Smells Phishy: Cyber Security *IS* a Credit Problem



Presented by: Ian Benney, US Secret Service Terrell Yarger, FBI Carl Davidson, Blue Water Industries LLC Steve Winn, MAREK Date: June 12, 2024

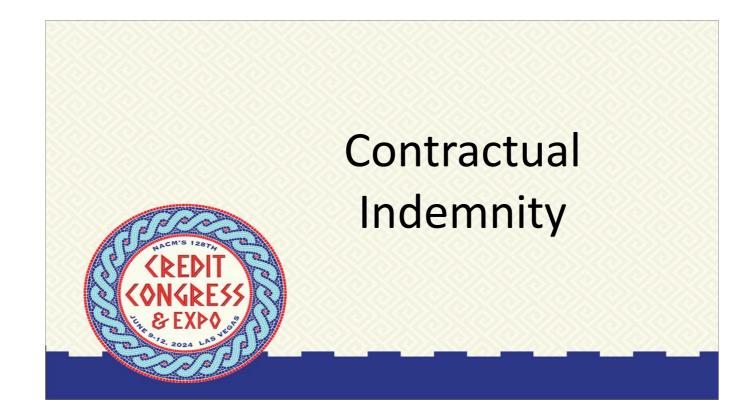












## 18) CYBER SECURITY.

b)

a) "Cyber Security Incident" means any imminent or successful act to gain unauthorized access to, or create disruption resulting in the misuse, alteration, disclosure or compromise of, any information system of Vendor, Manager or Owner, including but not limited to email or computer systems. Upon discovery or reasonable suspicion of a Cyber Security Incident, Vendor will notify Manager as soon as possible and provide details of the Cyber Security Incident. As soon as practicable, but in no event later than seven (7) days of Vendor's discovery or reasonable suspicion of a Cyber Security Incident, Vendor shall send Manager a written report detailing the circumstances of the Cyber Security Incident, including but not limited to: (a) a description of the nature of the Cyber Security Incident; (b) the type(s) of information or data involved; (c) who may have obtained the information or data; (d) what steps have been taken or will be taken to investigate the Cyber Security Incident; and (e) what steps have been taken or will be taken to mitigate any negative effect of the Cyber Security Incident; and (f) a point of contact for future correspondence related to the Cyb

the standing from or related to a Cyber Security Incident originating from Vendor's systems including but not limited to email or computer systems, and/or Vendor's failure to comply with any of the obligations set forth herein.

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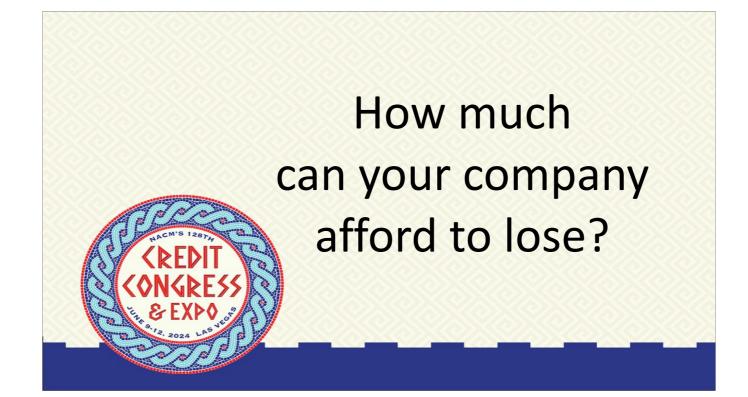


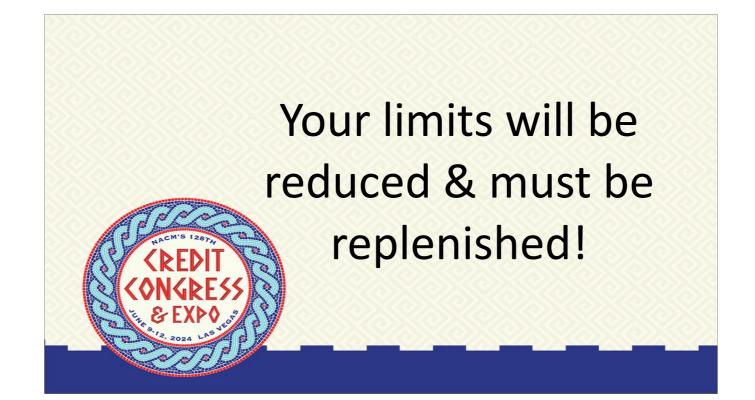














## Due Diligence:

This provision shall not apply if Vendor has exercised proper due diligence by following the advisories published by the Cybersecurity and Infrastructure Security Agency (CISA) and has ensured that the most recent software patches and cybersecurity updates available have been applied to its system and within 30 days of Substantial Completion to any products or equipment installed in the project.

Sample language for illustration purposes only. Consult with your attorney to draft language that









