



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

April 26, 2024

VIA E-MAIL

Office of the New Hampshire Attorney General
Consumer Protection & Antitrust Bureau
33 Capitol Street
Concord, NH 03301
E-mail: DOJ-CPB@doj.nh.gov

Re: Notice of Data Event

To Whom It May Concern:

We represent AthleteTrax LLC (“AthleteTrax”) based at 312 South State Steet, Ann Arbor, MI 48105. AthleteTrax which provides management software to sports facilities and organizations. We are writing to notify your office of an incident that may affect the security of certain personal information relating to New Hampshire residents. AthleteTrax received this information in connection with the services it provides to Phillips Academy, who owns the involved data. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, AthleteTrax does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

Nature of the Data Event

On January 19, 2024, AthleteTrax became aware of a potential issue involving the AthleteTrax application. AthleteTrax promptly began an investigation and took steps to assess the security of the application and related AthleteTrax systems. The investigation determined that between September 25, 2023, and January 19, 2024, unauthorized accessed to the AthleteTrax database occurred, and an unauthorized code capable of scraping credit card payment submissions was installed on the AthleteTrax application.

AthleteTrax worked to identify the involved data and to whom it relates. On February 22, 2024, AthleteTrax began notifying the clients who are associated with this data, and worked with them to provide relevant notices. This process concluded on or around April 24, 2024, and determined

that _____ for New Hampshire residents were part of the involved data set.

Notice to New Hampshire Residents

On or about April 26, 2024, AthleteTrax provided written notice of this incident to sixteen (16) New Hampshire residents on behalf of Phillips Academy. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, AthleteTrax moved quickly to investigate and respond to the incident, assess the security of AthleteTrax application and related systems, identify the potentially involved data, and notified the AthleteTrax clients associated with this data. AthleteTrax worked with its clients to verify and enrich the data for purposes of providing notice to potentially impacted individuals. AthleteTrax notified relevant regulatory authorities and the Federal Bureau of Investigation. They also took steps to working to implement additional technical and administrative safeguards.

Additionally, AthleteTrax is providing individuals with guidance on how to better protect against identity theft and fraud. AthleteTrax is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

AthleteTrax is providing written notice of this incident to relevant state regulators, as necessary.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at _____.

Very truly yours,

Sian M. Schafle of
MULLEN COUGHLIN LLC

SMS/cml
Enclosure

EXHIBIT A

ATHLETETRAX

Return Mail Processing
PO Box 589
Claysburg, PA 16625-0589

April 26, 2024

L2271-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345

SAMPLE A SAMPLE - L01 INDIVIDUAL

APT ABC

123 ANY STREET

ANYTOWN, FC 1A2 B3C

COUNTRY



Dear Sample A. Sample:

AthleteTrax provides management software to sports facilities and organizations. Our clients use the AthleteTrax software for various management purposes including scheduling and payments. We are writing to make you aware of an event that may involve some of your information which we received in connection with the services that we perform for [Extra1].

What Happened?

On January 19, 2024, we became aware of a potential issue involving the AthleteTrax application. We promptly began an investigation and took steps to assess the security of the application and related AthleteTrax systems. The investigation determined that between September 25, 2023 and January 19, 2024, an unauthorized actor accessed the AthleteTrax application and installed unauthorized code capable of scraping credit card payment submissions.

What Information Was Involved?

Our investigation determined that your _____ may have been involved.

What We Are Doing.

We take this event, your privacy, and the security of information in our care seriously. Upon becoming aware of the potential issue, we moved immediately to investigate and respond. The investigation included confirming the security of the involved systems, reviewing the potentially impacted data, notifying potentially affected AthleteTrax customers, and notifying federal law enforcement and regulators, as applicable. As part of our ongoing commitment to the privacy and the security of information in our care, we are also reviewing our existing policies and procedures.

What You Can Do.

We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your financial account statements and monitoring your free credit reports for suspicious activity and to detect errors. Additional resources can be found in the attached *Steps You Can Take to Protect Your Personal Information*.

For More Information.

If you have additional questions, you may contact our dedicated assistance line toll-free at at . This toll-free line is available Monday through Friday 8 am – 8 pm Central (excluding major U.S. holidays). Be prepared to provide your engagement number .

Sincerely,

The AthleteTrax team

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Consumers can obtain further information on how to file such a

complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state Attorney General. This notice has not been delayed by law enforcement.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-576-6300 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.