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November 28, 2022

**RECEIVED**

**DEC 02 2022**

**VIA U.S. MAIL**

**CONSUMER PROTECTION**

Office of the Attorney General  
Consumer Protection Bureau  
33 Capitol Street  
Concord, NH 03301

**Re: Cohen Cleary, P.C. – Incident Notification**

To Whom It May Concern:

McDonald Hopkins PLC represents Cohen Cleary, P.C. ("Cohen Cleary") of Taunton, Massachusetts. I am writing to provide notification of an incident at Cohen Cleary that may affect the security of personal information of approximately eighty (80) New Hampshire residents. By providing this notice, Cohen Cleary does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction.

On or about January 17, 2022, an unauthorized party accessed a limited number of electronic files from Cohen Cleary's system (hereinafter, the "Incident"). Upon detecting the Incident, Cohen Cleary commenced an immediate and thorough investigation and alerted law enforcement. As part of its investigation, Cohen Cleary engaged leading cybersecurity experts to identify what personal information, if any, might have been present in the accessed files.

After an extensive forensic investigation and manual document review, Cohen Cleary discovered on or about September 30, 2022 that one or more of the files accessed by the unauthorized party on or about January 17, 2022 contained personally identifiable and protected health information pertaining to a limited number of individuals including, where applicable, full names, addresses, dates of birth, government identification numbers, Social Security numbers, health insurance claims information, financial account numbers, and clinical information. The elements of information involved in this incident varied per individual.

To date, Cohen Cleary is not aware of any reports of identity fraud or improper use of any information as a direct result of this incident. Nevertheless, out of an abundance of caution, Cohen Cleary wanted to inform your Office (and the affected residents) of the incident and to explain the steps that it is taking to help safeguard the affected residents against identity fraud.

Cohen Cleary is providing the affected residents with written notification of this incident commencing on or about November 23, 2022 in substantially the same form as the letter attached hereto. Cohen Cleary is offering the affected residents whose Social Security numbers were

impacted complimentary two-year memberships with a credit monitoring service. Cohen Cleary is advising the affected residents about the process for placing fraud alerts and/or security freezes on their credit files and obtaining free credit reports. The affected residents are also being provided with the contact information for the consumer reporting agencies and the Federal Trade Commission. The affected residents whose medical information was impacted are also being provided steps to take to safeguard themselves against medical identity theft.

At Cohen Cleary, protecting the privacy of personal information is a top priority. Cohen Cleary is committed to maintaining the privacy of personal information in its possession and has taken many precaution to safeguard it. Cohen Cleary continually evaluates and modifies its practices and internal controls to enhance the security and privacy of personal information.

If you have any additional questions, please contact me at (248) 593-2952 or [cbattersby@mcdonaldhopkins.com](mailto:cbattersby@mcdonaldhopkins.com).

Very truly yours,

Colin M. Battersby

CB/erb

Encl.

Cohen Cleary, P.C.

To Enroll, Please Call:

Or Visit:

Enrollment Code:

November 23, 2022

Dear [REDACTED],

We are writing to inform you of a data security incident at Cohen Cleary, P.C. involving some of your information. We wanted to provide you with information about the incident, explain the services we are making available to you, and let you know that we continue to take significant measures to protect your personal information.

What Happened?

On or about January 17, 2022, an unauthorized party accessed a limited number of files from our system.

What We Are Doing.

Upon detecting the incident, we commenced an immediate and thorough investigation and alerted law enforcement. As part of our investigation, we engaged leading cybersecurity experts to identify what personal information, if any, might have been present in the accessed files.

What Information Was Involved?

After an extensive forensic investigation and manual document review, we discovered on or about September 30, 2022 that one or more of the files accessed by the unauthorized party on January 17, 2022 contained your [REDACTED].

What You Can Do.

We want to make you aware of the incident. To protect you from potential misuse of your information, we are offering a complimentary membership of identity theft protection services through IDX, a data breach and recovery services expert. IDX identity protection services include: [REDACTED] of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised. For more information on your complimentary membership, please see the additional information provided in this letter.

This letter also provides precautionary measures you can take to protect your personal information, including placing a Fraud Alert and Security Freeze on your credit files, and obtaining a free credit report. Additionally, you should always remain vigilant in reviewing your financial account statements and credit reports for fraudulent or irregular activity on a regular basis. To the extent that it is helpful, we are also suggesting steps you can take to protect your medical information on the following pages.

*For More Information.*

Please accept our apologies that this incident occurred. We are committed to maintaining the privacy of personal information in our possession and have taken many precautions to safeguard it. We continually evaluate and modify our practices and internal controls to enhance the security and privacy of your personal information.

**If you have any further questions regarding this incident, please call our dedicated and confidential toll-free response line that we have set up to respond to questions at [REDACTED].** This response line is staffed with professionals familiar with this incident and knowledgeable on what you can do to protect against misuse of your information. The response line is available Monday through Friday, 9 am to 9 pm Eastern Time.

Sincerely,

Cohen Cleary, P.C.

**Washington D.C. Residents:** You may obtain information about preventing identity theft from the Office of the Attorney General for the District of Columbia, 400 6th Street NW, Washington D.C. 20001, <https://oag.dc.gov/consumer-protection>, Telephone: 202-442-9828.

**Rhode Island Residents:** You may contact law enforcement, such as the Rhode Island Attorney General's Office, to report incidents of identity theft or to learn about steps you can take to protect yourself from identity theft. You can contact the Rhode Island Attorney General at: Rhode Island Office of the Attorney General, 150 South Main Street, Providence, RI 02903, [www.riag.ri.gov](http://www.riag.ri.gov), 401-274-4400.

As noted above, you may obtain a security freeze on your credit report to protect your privacy and ensure that credit is not granted in your name without your knowledge. You have a right to place a "security freeze" on your credit report pursuant to chapter 48 of title 6 of the Identity Theft Prevention Act of 2006.

The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. When you place a security freeze on your credit report, within five (5) business days you will be provided a personal identification number or password to use if you choose to remove the freeze on your credit report or to temporarily authorize the release of your credit report for a specific period of time after the freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide all of the following:

1. The unique personal identification number or password provided by the consumer reporting agency.
2. Proper identification to verify your identity.
3. The proper information regarding the period of time for which the report shall be available to users of the credit report.

A consumer reporting agency that receives a request from a consumer to temporarily lift a freeze on a credit report shall comply with the request no later than three (3) business days after receiving the request.

A security freeze does not apply to circumstances where you have an existing account relationship and a copy of your report is requested by your existing creditor or its agents or affiliates for certain types of an account review, collection, fraud control, or similar activities.

If you are actively seeking a new credit, loan, utility, telephone, or insurance account, you should understand that the procedures involved in lifting a security freeze may slow your own applications for credit. You should plan ahead and lift a freeze -- either completely, if you are shopping around, or specifically for a certain creditor -- with enough advance notice before you apply for new credit for the lifting to take effect.

You have a right to bring a civil action against someone who violates your rights under the credit reporting laws. The action can be brought against a consumer reporting agency or a user of your credit report.

To place a security freeze on your credit report, you must send a request to each of the three major consumer reporting agencies: Equifax, Experian, and TransUnion. These agencies can be contacted using the contact information provided above.

In order to request a security freeze, you may need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Complete address;
5. Prior addresses;
6. Proof(s) of identification (state driver's license or ID card, military identification, birth certificate, etc.);
7. If you are a victim of identity theft, a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

There were 183 Rhode Island residents impacted by this incident.



**- OTHER IMPORTANT INFORMATION -**

**1. Enrolling in Complimentary [REDACTED] Credit Monitoring.**

Activate IDX Identity Protection Membership Now in Three Easy Steps

1. ENROLL by: [REDACTED] (Your code will not work after this date.)
2. VISIT the IDX website to enroll: [REDACTED]
3. PROVIDE the Enrollment Code: [REDACTED]

If you have questions about the product or if you would like to enroll over the phone, please contact IDX at 1-833-814-1787.

**2. Placing a Fraud Alert on Your Credit File.**

Whether or not you choose to use the complimentary [REDACTED] credit monitoring services, we recommend that you place an initial one-year "Fraud Alert" on your credit files, at no charge. A fraud alert tells creditors to contact you personally before they open any new accounts. To place a fraud alert, call any one of the three major credit bureaus at the numbers listed below. As soon as one credit bureau confirms your fraud alert, they will notify the others.

***Equifax***

P.O. Box 105069  
Atlanta, GA 30348-5069  
<https://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/>  
(800) 525-6285

***Experian***

P.O. Box 9554  
Allen, TX 75013  
<https://www.experian.com/fraud/center.html>  
(888) 397-3742

***TransUnion***

Fraud Victim Assistance Department  
P.O. Box 2000  
Chester, PA 19016-2000  
<https://www.transunion.com/fraud-alerts>  
(800) 680-7289

**3. Consider Placing a Security Freeze on Your Credit File.**

If you are very concerned about becoming a victim of fraud or identity theft, you may request a "Security Freeze" be placed on your credit file, at no charge. A security freeze prohibits, with certain specific exceptions, the consumer reporting agencies from releasing your credit report or any information from it without your express authorization. You may place a security freeze on your credit report by contacting all three nationwide credit reporting companies at the numbers below and following the stated directions or by sending a request in writing, by mail, to all three credit reporting companies:

**Equifax Security Freeze**

P.O. Box 105788  
Atlanta, GA 30348  
<https://www.equifax.com/personal/credit-report-services/credit-freeze/>  
1-800-349-9960

**Experian Security Freeze**

P.O. Box 9554  
Allen, TX 75013  
<http://experian.com/freeze>  
1-888-397-3742

**TransUnion Security Freeze**

P.O. Box 2000  
Woodlyn, PA 19094  
<https://www.transunion.com/credit-freeze>  
1-888-909-8872

In order to place the security freeze, you'll need to supply your name, address, date of birth, Social Security number and other personal information. After receiving your freeze request, each credit reporting company will send you a confirmation letter containing a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

If your personal information has been used to file a false tax return, to open an account or to attempt to open an account in your name or to commit fraud or other crimes against you, you may file a police report in the City in which you currently reside.

If you do place a security freeze prior to enrolling in the credit monitoring service as described above, you will need to remove the freeze in order to sign up for the credit monitoring service. After you sign up for the credit monitoring service, you may refreeze your credit file.

#### **4. Obtaining a Free Credit Report.**

Under federal law, you are entitled to one free credit report every 12 months from each of the above three major nationwide credit reporting companies. Call 1-877-322-8228 or request your free credit reports online at [www.annualcreditreport.com](http://www.annualcreditreport.com). Once you receive your credit reports, review them for discrepancies. Identify any accounts you did not open or inquiries from creditors that you did not authorize. Verify all information is correct. If you have questions or notice incorrect information, contact the credit reporting company.

#### **5. Additional Helpful Resources.**

Even if you do not find any suspicious activity on your initial credit reports, the Federal Trade Commission (FTC) recommends that you check your credit reports periodically. Checking your credit report periodically can help you spot problems and address them quickly.

If you find suspicious activity on your credit reports or have reason to believe your information is being misused, call your local law enforcement agency and file a police report. Be sure to obtain a copy of the police report, as many creditors will want the information it contains to absolve you of the fraudulent debts. You may also file a complaint with the FTC by contacting them on the web at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft), by phone at 1-877-IDTHEFT (1-877-438-4338), or by mail at Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580. Your complaint will be added to the FTC's Identity Theft Data Clearinghouse, where it will be accessible to law enforcement for their investigations. In addition, you may obtain information from the FTC about fraud alerts and security freezes.

#### **6. Protecting Your Medical Information.**

We have no evidence that your medical information involved in this incident was or will be used for any unintended purposes. However, the following practices can provide additional safeguards to protect against medical identity theft.

- Only share your health insurance cards with your health care providers and other family members who are covered under your insurance plan or who help you with your medical care.
- Review your "explanation of benefits statement" which you receive from your health insurance company. Follow up with your insurance company or care provider for any items you do not recognize. If necessary, contact the care provider on the explanation of benefits statement and ask for copies of medical records from the date of the potential access (noted above) to current date.
- Ask your insurance company for a current year-to-date report of all services paid for you as a beneficiary. Follow up with your insurance company or the care provider for any items you do not recognize.

**Maryland Residents:** You may obtain information about avoiding identity theft from the Maryland Attorney General's Office: Office of the Attorney General of Maryland, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, [www.oag.state.md.us/Consumer](http://www.oag.state.md.us/Consumer), Telephone: 888-743-0023.

**Massachusetts Residents:** Under Massachusetts law, you have the right to obtain a police report in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

**New York Residents:** You may obtain information about preventing identity theft from the New York Attorney General's Office: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; <https://ag.ny.gov/consumer-frauds-bureau/identity-theft>; Telephone: 800-771-7755.

**North Carolina Residents:** You may obtain information about preventing identity theft from the North Carolina Attorney General's Office: Office of the Attorney General of North Carolina, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, [www.ncdoj.gov/](http://www.ncdoj.gov/), Telephone: 877-566-7226.

**Oregon Residents:** You may obtain information about preventing identity theft from the Oregon Attorney General's Office: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, [www.doj.state.or.us/](http://www.doj.state.or.us/), Telephone: 877-877-9392.