



June 26, 2023

Via email: DOJ-CPB@doj.nh.gov

Attorney General John M. Formella
Office of the Attorney General
Consumer Protection Bureau
33 Capitol Street
Concord, NH 03301

Dear John M. Formella:

We are informing you of a recent data security incident (“Matter”) that concerned the personal information (collectively the “Information”) of individuals associated with our client, Gary Motykie, M.D., a Medical Corporation (“Motykie” or “company”). In compliance with state law, we are reporting this Matter.

What Happened?

On or about May 9, 2023, Motykie was notified that a third party might be in possession of Information. Motykie engaged an incident response team and investigated the Matter. On or about June 6, 2023, the investigation revealed that some data may have been impacted. Therefore, as required under state breach notification laws, Motykie will provide notice to the potentially impacted individuals. The total number of potentially impacted individuals is still being investigated. Of the total, approximately 1 individual is a New Hampshire resident. Notice to identified potentially impacted individuals will be completed on June 27, 2023. A sample copy of the notification letter is being provided with this correspondence.

What Information was Involved?

What mitigation steps were taken?

At the time of the Matter and out of an abundance of caution, Motykie disabled access to the computer system and took the system offline and implemented various security measures. Motykie will continue to conduct additional employee training and work closely with law enforcement. Motykie will also continue to provide information to the American Board of Plastic Surgery.

We have also secured credit monitoring services to provide identity and credit monitoring services for _____ to the potentially impacted individuals.

Please let us know if you have any additional questions. If you have any questions or need additional information, please do not hesitate to contact me at _____.

Very truly yours,

The Beckage Firm

Shawn M.B. Ford, LL.M., Esq.
Member, IR Group Lead

Enclosed: Sample notification letter.

<FirstName> <LastName>

<Address1>

<Address2>

<City><State><Zip>

Notice of Data Breach

_____ 2023

Dear <First Name> <Last Name>,

We write to inform you of a recent data security incident (“Matter”) that may concern some of your personal information (collectively the “Information”). We are sharing what we know about the Matter, our response to it, and steps you can take to help protect your Information.

What Happened?

On or about May 9, 2023, we were notified that a third party may be in possession of your Information. We engaged an incident response team, worked with law enforcement, and continue to investigate the Matter. On or about June 6, 2023, our investigation revealed that some data, including your Information, may have been impacted, which is why we are notifying you. We are in communication with the American Board of Plastic Surgery, and we understand that the American Board of Plastic Surgery is also investigating with law enforcement other incidents similar to this Matter.

What Information Was Involved?

What Are We Doing?

Upon learning of the Matter, we engaged our incident response team, which began investigating the Matter, and took a number of risk mitigation steps. We engaged data security professional experts to assist in our investigation. Out of an abundance of caution, we disabled access to the computer system and took the system offline. We implemented various security measures. We will continue to conduct additional employee training and work closely with law enforcement. We also continue to provide information to the American Board of Plastic Surgery.

We are providing you with access to _____ of no cost Triple Bureau Credit Monitoring/Triple Bureau Credit Report/Triple Bureau Credit Score/Cyber Monitoring services. These services provide you with alerts for _____ from the date of enrollment when changes occur to any of one of your Experian, Equifax, or TransUnion credit files. This notification is sent to you the same day that the change or update takes place with the bureau. The monitoring

services also include reviewing whether for your Information appears on the dark web and alert you if your Information is found online. In addition, we are providing you with proactive fraud assistance to help with any questions that you might have or in event that you become a victim of fraud. These services will be provided by Cyberscout through Identity Force, a TransUnion company specializing in fraud assistance and remediation services.

How Do I Enroll For The No Cost Services?

To enroll in Credit Monitoring services at no charge, please log on to _____ and follow the instructions provided. When prompted please provide the following unique code to receive services: _____. To receive the monitoring services described above, you must enroll within _____ from the date of this letter. The enrollment requires an internet connection and e-mail account and may not be available to minors under the age of eighteen (18) years of age. Please note that when signing up for monitoring services, you may be asked to verify Information to confirm your identity.

What Can You Do?

We encourage you to remain vigilant in reviewing your Information, such as reviewing your account statements, and monitor credit reports for any suspicious activity. We encourage you to enroll to receive Triple Bureau Credit Monitoring/Triple Bureau Credit Report/Triple Bureau Credit Score/Cyber Monitoring services. Please note that you must enroll directly. We are unable to enroll in these services for you.

For More Information.

Representatives are available for ninety (90) days from the date of this letter, to assist you with questions regarding this matter, between the hours of 8:00 am to 8:00 pm Eastern time, Monday through Friday, excluding holidays. Please call the help line at _____ supply the fraud specialist with your unique code listed above.

While the call center representatives should be able to provide thorough assistance and answer most of your questions, you may still feel the need to speak with our office regarding this incident. If so, please call ____ at _____ from 9:00 am to 5:00 pm Pacific time, Monday through Friday.

We apologize for any inconvenience this may have caused.

Sincerely,

Dr. Gary Motykie on behalf of
Gary Motykie, M.D., a Medical Corporation
9201 W Sunset Blvd 1A
West Hollywood, CA 90069

Steps You Can Take To Protect Your Information

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity.

Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. (Hearing impaired consumers can access their TDD service at 1-877-730-4204). You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

Experian P.O. Box 9554 Allen, TX 75013 1-888-397-3742 www.experian.com/freeze/center.html	TransUnion P.O. Box 160 Woodlyn, PA 19094 1-888-909-8872 www.transunion.com/credit-freeze	Equifax P.O. Box 105788 Atlanta, GA 30348-5788 1-800-685-1111 www.equifax.com/personal/credit-report-services
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To request a security freeze, you will 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. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior 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, military identification, etc.);
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended “fraud alert” on your 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 you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

Experian P.O. Box 9554 Allen, TX 75013 1-888-397-3742 www.experian.com/fraud/center.html	TransUnion P.O. Box 2000 Chester, PA 19016 1-800-680-7289 www.transunion.com/fraud-victim-resource/place-fraud-alert	Equifax P.O. Box 105069 Atlanta, GA 30348 1-888-766-0008 www.equifax.com/personal/credit-report-services
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Additional Information

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338); 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. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

For more information on identify theft, we suggest that you visit the website of the California Office of Privacy Protection at www.privacy.ca.gov.

For North Carolina residents, the Attorney General can be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6400; or www.ncdoj.gov.

For Maryland residents, the Attorney General can be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662; or www.oag.state.md.us.

For New Mexico residents, individuals have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in the individual's credit file has been used against the individual, the right to know what is in an individual's credit file, the right to ask for an individual's credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to an individual's file is limited; an individual must give consent for credit reports to be provided to employers; an individual may limit "prescreened" offers of credit and insurance an individual would get based on information in a credit report; and an individual may seek damages from violator. An individual may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage individuals to review their rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For Rhode Island residents, The Rhode Island Attorney General can be reached at: 150 South Main Street, Providence, Rhode Island 02903; www.riag.ri.gov; or 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed regarding this incident. There are two (2) Rhode Island residents impacted by this incident.

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