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COUGHLIN<sub>LLC</sub>  
ATTORNEYS AT LAW

RECEIVED

SEP 12 2022

CONSUMER PROTECTION

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426 W. Lancaster Avenue, Suite 200  
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September 7, 2022

**VIA U.S. MAIL**

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

**Re: Notice of Data Event**

Dear Sir or Madam:

We represent Kenneth M. Gerstein, CPA, MST, LLC ("Gerstein CPA"), located at 181 Harry S. Truman Parkway, Suite 150, Annapolis, MD 21401, and are writing to notify your office of an incident that may affect the security of certain personal information relating to five (5) New Hampshire residents. By providing this notice, Gerstein CPA 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 or about January 21, 2022, Gerstein CPA became aware of suspicious activity relating to an employee email account and immediately launched an investigation, with the assistance of third-party computer forensics specialists, to determine the nature and scope of the activity. Gerstein CPA also reported the event to the Federal Bureau of Investigation. The investigation determined that an unknown actor gained access to one employee email account between January 7, 2022, and January 22, 2022.

Gerstein CPA undertook a comprehensive and time-intensive review with third-party data review specialists to determine if the impacted files contain sensitive information and the individuals to whom the information relates. This review was completed July 18, 2022, and it was determined that certain information relating to New Hampshire residents may have been impacted. Gerstein CPA then conducted a time-intensive manual review of its records to validate the data and confirm the identities and contact information for potentially affected individuals to provide notifications.

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The information that could have been subject to unauthorized access includes name, and Social Security number.

### **Notice to New Hampshire Residents**

On or about September 7, 2022, Gerstein CPA provided written notice of this incident to five (5) New Hampshire residents. 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, Gerstein CPA moved quickly to investigate and respond to the incident, assess the security of Gerstein CPA systems, and identify potentially affected individuals. Further, Gerstein CPA notified federal law enforcement regarding the event. Gerstein CPA is also working to implement additional safeguards and training to its employees. Gerstein CPA is providing access to credit monitoring services for twelve (12) months, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Gerstein CPA is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Gerstein CPA 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.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4776.

Very truly yours,

Edward J. Finn of  
MULLEN COUGHLIN LLC

EJF/dtg  
Enclosure

# EXHIBIT A

September 7, 2022

111 \*\*\*\*\*AUTO\*\*MIXED AADC 300

SAMPLE A. SAMPLE - L01 - Adult

APT ABC



123 ANY ST

ANYTOWN, US 12345-6789



**Re: Notice of [Extra1]**

Dear Sample A. Sample,

Kenneth M. Gerstein, CPA is writing to inform you of a recent event that may impact the security of some of your information. We take this issue seriously and are providing you with information about the event and steps you may take to help protect your personal information, should you feel it is appropriate to do so.

**What Happened?** On or about January 21, 2022, we became aware of suspicious activity related to an employee's email account. Upon learning of the suspicious activity, we immediately took steps to secure the email account and launched an investigation to determine the nature and scope of the event. Through our investigation, we determined an employee's email account was accessed by an unknown actor between January 8, 2022 and January 22, 2022.

We have no confirmation that the information in the account was actually viewed by the unauthorized person or that it will be missed. However, in an abundance of caution, we wanted to notify you of this incident and assure you we are taking this matter very seriously.

**What Information Was Involved?** The following types of information were contained within the impacted account: your name and [Extra2].

**What We Are Doing.** The confidentiality, privacy, and security of information in our care are among our highest priorities, and we take this incident very seriously. We immediately launched an investigation and secured the email account by changing the password. Although we do not have any indication of identity theft or fraud as a result of this event, we are offering complimentary credit monitoring and identity restoration services through Experian for [Extra4] months as an added precaution.

**What You Can Do.** 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. You may review the information contained in the attached "Steps You Can Take to Help Protect Personal Information." There you will also find more information on the credit monitoring and identity protection services we are making available to you. While we will cover the cost of these services, you will need to complete the activation process. Enrollment instructions are attached to this letter.

**For More Information.** If you have additional questions, please call our dedicated assistance line at **(833) 514-1010**, toll-free Monday through Friday from 8 am - 10 pm Central, or Saturday and Sunday from 10 am - 7 pm Central (excluding major U.S. holidays). Please be prepared to provide your engagement number [Engagement Number]. You may also write to us at 181 Harry S. Truman Parkway, Suite 150, Annapolis, MD 21401.

We apologize for any inconvenience or concern this event may cause.

Sincerely,

Kenneth M. Gerstein  
Owner, Certified Public Accountant

## Steps You Can Take to Protect Personal Information

### Enroll in Credit Monitoring

To help protect your identity, we are offering complimentary access to Experian IdentityWorks<sup>SM</sup> for [Extra4] months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. If, after discussing your situation with an agent, it is determined that identity restoration support is needed then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred from the date of the incident (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that Identity Restoration is available to you for [Extra4] months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration).

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary [Extra4] months membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by November 30, 2022** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: [www.experianidworks.com/credit](http://www.experianidworks.com/credit)
- Provide your **activation code**:

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at **(833) 514-1010** by **November 30, 2022**. Be prepared to provide engagement number [Engagement Number] as proof of eligibility for the Identity Restoration services by Experian.

### **ADDITIONAL DETAILS REGARDING YOUR [EXTRA4] MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP**

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE<sup>TM</sup>:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance<sup>\*\*</sup>:** Provides coverage for certain costs and unauthorized electronic fund transfers.

\* Offline members will be eligible to call for additional reports quarterly after enrolling.

\*\* The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

## **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 your free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your 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 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 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 your name without your consent. However, you should be aware that using a credit 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 credit freeze on your credit report. To request a security freeze, you will need to provide 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, military identification, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

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

| <b>Equifax</b>  | <b>Experian</b>   | <b>TransUnion</b>   |
|---|---|---|
| <a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a> | <a href="https://www.experian.com/help/">https://www.experian.com/help/</a> | <a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a> |
| 1-888-298-0045  | 1-888-397-3742  | 1-833-395-6938  |
| Equifax Fraud Alert, P.O. Box 105069<br>Atlanta, GA 30348-5069  | Experian Fraud Alert, P.O.<br>Box 9554, Allen, TX 75013                     | TransUnion Fraud Alert, P.O. Box<br>2000, Chester, PA 19016                                 |
| Equifax Credit Freeze, P.O. Box 105788<br>Atlanta, GA 30348-5788  | Experian Credit Freeze, P.O.<br>Box 9554, Allen, TX 75013                   | TransUnion Credit Freeze, P.O.<br>Box 160, Woodlyn, PA 19094                                |

## **Additional Information**

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600

Pennsylvania Avenue NW, Washington, DC 20580; [www.identitytheft.gov](http://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. 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 in order 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 District of Columbia residents*, the District of Columbia Attorney General may be contacted at: 400 6th St. NW Washington, D.C. 20001; 202-727-3400; and [oag.dc.gov](http://oag.dc.gov).

*For California residents*, Visit the California Office of Privacy Protection ([www.oag.ca.gov/privacy](http://www.oag.ca.gov/privacy)) for additional information on protection against identity theft.

*For Maryland residents*, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and [www.oag.state.md.us](http://www.oag.state.md.us).

*For New Mexico residents*, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You 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 you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://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 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](http://www.ncdoj.gov).

*For Rhode Island residents*, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; [www.riag.ri.gov](http://www.riag.ri.gov); and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 2 Rhode Island residents impacted by this incident.



