

CIPRIANI & WERNER

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May 4, 2023

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

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

RE: *Miyoshi America, Inc.— Notice of Cyber Incident*

Dear Sir/Madam:

We serve as counsel for Miyoshi America, Inc. (“Miyoshi”) located at 110 Lousia Viens Dr., Dayville, CT, 06241 and write to notify your office of a cyber incident pursuant to N.H. Rev. Stat. Ann. § 359-C:20. By providing this notice, Miyoshi does not waive any rights or defenses under New Hampshire law, including the data breach notification statute.

On or about March 7, 2023, Miyoshi discovered suspicious activity related to an employee’s email account. Upon discovery, Miyoshi took immediate action to address and investigate the incident, which included conducting an investigation in order to determine the nature and scope of the incident. Following investigation, Miyoshi confirmed that an employee email account was subject to unauthorized access. Miyoshi then began a thorough and time intensive review of the accessed information in order to determine the type of information contained within the accessed emails and to whom that information related. On April 21, 2023, this process was completed, and Miyoshi worked to provide individuals with notice of this incident.

During review, Miyoshi discovered that information relating to one (1) New Hampshire resident may have been impacted in this incident. Miyoshi mailed notices to these individuals on May 4, 2023. In the notice, Miyoshi offered the New Hampshire residents complimentary credit monitoring services for 24 months. A sample of the notice is attached hereto for your reference.

Please contact me if you have any questions.

Very truly yours,

John Loyal, Esq.
CIPRIANI & WERNER, P.C.

EXHIBIT A



Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Mail ID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

<<VARIABLE HEADER>>

Dear <<Name 1>>:

We are writing to inform you of a data security incident experienced by our company that may have involved your information as described below. We take the privacy and security of all information very seriously and are providing information about the incident and steps you can take to help protect your information.

What Happened: On or about March 7, 2023, we discovered suspicious activity related to an employee's email account. Upon discovery, we took immediate action to address and investigate the incident, which included conducting an investigation in order to determine the nature and scope of the incident. Following investigation, we confirmed that an employee email account was subject to unauthorized access. We then began a thorough and time intensive review of the accessed information in order to determine the type of information contained within the accessed emails and to whom that information related. On April 21, 2023, this process was completed, and we worked to provide you with this notification as soon as possible.

What Information Was Involved: The types of information that may have been contained within the affected data includes your first and last name, in combination with the following data element(s): <<data elements>>. Please note that we currently have no reason to believe that your information has been or will be misused as a result of this incident.

What We Are Doing: We have taken the steps necessary to address the incident and are committed to fully protecting all of the information that you have entrusted to us. Upon learning of this incident, we immediately took steps to secure the email account and undertook a thorough investigation. We have also implemented additional technical safeguards to further enhance the security of information in our possession and to prevent similar incidents from happening in the future. Additionally, we are offering you complimentary credit monitoring and identity protection services.

What You Can Do: We recommend that you remain vigilant against incidents of identity theft and fraud by reviewing your credit reports/account statements for suspicious activity and to detect errors. If you discover any suspicious or unusual activity on your accounts, please promptly contact the financial institution or company. We have provided additional information below, which contains more information about steps you can take to help protect yourself against fraud and identity theft.

For More Information: Should you have any questions or concerns, please contact our Human Resources Manager,
between the hours of 7:00 AM and 4:00 PM or by email at ashleyf@miyoshiamerica.com.

Sincerely,

Edward Houlihan
Vice President

STEPS YOU CAN TAKE TO HELP PROTECT YOUR INFORMATION

Activate Identity Monitoring Services



Activation Code: <<Activation Code>>

1-Bureau TransUnion Credit Monitoring Product Offering: (Online and Offline)

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service (*myTrueIdentity*) for 24 months provided by TransUnion Interactive, a subsidiary of TransUnion®, one of the three nationwide credit reporting companies.

To enroll in this service, go directly to the *myTrueIdentity* website at **www.mytrueidentity.com** and in the space referenced as "Enter Activation Code", enter the following unique 12-letter Activation Code <<Activation Code>> and follow the three steps to receive your credit monitoring service online within minutes.

If you do not have access to the Internet and wish to enroll in a similar offline, paper based, credit monitoring service, via U.S. Mail delivery, please call the TransUnion Fraud Response Services toll-free hotline at . When prompted, enter the following <<Engagement Number>> and follow the steps to enroll in the offline credit monitoring service, add an initial fraud alert to your credit file, or to speak to a TransUnion representative if you believe you may be a victim of identity theft.

Once you are enrolled, you will be able to obtain 24 months of unlimited access to your TransUnion credit report and VantageScore® credit score by TransUnion. The daily credit monitoring service will notify you if there are any critical changes to your credit file at TransUnion®, including fraud alerts, new inquiries, new accounts, new public records, late payments, change of address and more. The service also includes the ability to lock and unlock your TransUnion credit report online, access to identity restoration services that provides assistance in the event your identity is compromised to help you restore your identity and up to \$1,000,000 in identity theft insurance with no deductible. (Policy limitations and exclusions may apply.)

You can sign up for the *myTrueIdentity* online Credit Monitoring service anytime between now and <<Enrollment Deadline>>. Due to privacy laws, we cannot register you directly. Please note that credit monitoring services might not be available for individuals who do not have credit file at TransUnion®, or an address in the United States (or its territories) and a valid Social Security number, or are under the age of 18. Enrolling in this service will not affect your credit score.

If you have questions about your *myTrueIdentity* online credit monitoring benefits, need help with your online enrollment, or need help accessing your credit report, or passing identity verification, please contact the *myTrueIdentity* Customer Service Team toll-free at: , Monday-Friday: 8am- 9pm, Saturday-Sunday: 8am-5pm Eastern time.

Monitor Your Accounts

We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your credit reports/account statements and explanation of benefits forms for suspicious activity and to detect errors. Under U.S. law, you are entitled to one free credit report annually from each of the three major credit reporting bureaus, TransUnion, Experian, and Equifax. To order your free credit report, visit www.annualcreditreport.com or call 1-877-322-8228. Once you receive your credit report, review it for discrepancies and identify any accounts you did not open or inquiries from creditors that you did not authorize. If you have questions or notice incorrect information, contact the credit reporting bureau.

You have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a one-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert, 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 lasting seven years. Should you wish to place a fraud alert, please contact any of the three credit reporting bureaus listed below.

As an alternative to a fraud alert, you 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 your 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 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 credit freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., III, etc.);
2. Social Security number;
3. Date of birth;
4. Address for the prior two to five years;
5. Proof of current address, such as a current utility or telephone bill;
6. A legible photocopy of a government-issued identification card (e.g., state driver’s license or identification card); 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:

TransUnion 1-800-680-7289 www.transunion.com TransUnion Fraud Alert P.O. Box 2000 Chester, PA 19016-2000 TransUnion Credit Freeze P.O. Box 160 Woodlyn, PA 19094	Experian 1-888-397-3742 www.experian.com Experian Fraud Alert P.O. Box 9554 Allen, TX 75013 Experian Credit Freeze P.O. Box 9554 Allen, TX 75013	Equifax 1-888-298-0045 www.equifax.com Equifax Fraud Alert P.O. Box 105069 Atlanta, GA 30348-5069 Equifax Credit Freeze P.O. Box 105788 Atlanta, GA 30348-5788
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Additional Information

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

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, your state Attorney General, and the FTC. 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; 1-888-743-0023; and www.oag.state.md.us. Miyoshi American, Inc. may be contacted at 110 Lousia Viens Dr., Dayville, CT 06241.

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: (i) the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information; (ii) the consumer reporting agencies may not report outdated negative information; (iii) access to your file is limited; (iv) you must give consent for credit reports to be provided to employers; (v) you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; (vi) and you may seek damages from violators. 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 https://files.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, FTC, 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.

For Rhode Island residents, the Rhode Island Attorney General may be contacted at 150 South Main Street, Providence, RI 02903; 1-401-274-4400; and www.riag.ri.gov. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are <<RI Count>> Rhode Island residents impacted by this incident.

For Washington, D.C. residents, the District of Columbia Attorney General may be contacted at 441 4th Street NW #1100, Washington, D.C. 20001; 202-727-3400, and <https://oag.dc.gov/consumer-protection>. Miyoshi American, Inc. may be contacted at 110 Lousia Viens Dr., Dayville, CT 06241.