

**DLA Piper LLP (US)** 1201 W. Peachtree Street Atlanta, GA 30309 www.dlapiper.com

December 22, 2023

Via EMAIL: DOJ-CPB@DOJ.NH.gov

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

Re: Security Incident Notification

## **Dear Attorney General Formella:**

We are writing to provide notice on behalf of The Switch Enterprises LLC ("The Switch") to the New Hampshire Office of the Attorney General, Consumer Protection Bureau, pursuant to N.H. Rev. Stat. §§ 359-C:19 et seq., regarding an incident involving one (1) New Hampshire resident.

On November 18, 2023, the Company learned that a threat actor deployed malware in the Company's environment. The Company immediately engaged third-party cyber security experts to investigate and remediate the incident that same day. On November 28, 2023, the forensic experts discovered that the threat actor potentially gained access to (but did not exfiltrate) certain employee information including

The Company took immediate steps relating to the incident (e.g., hired a third-party cyber security experts, discontinued use of the compromised system, reset credentials, and upgraded cyber-security protection).

On or about December 22, 2023, The Switch will mail notice to one (1) affected New Hampshire resident, offering a subscription to credit monitoring and identity protection services through Equifax, at no cost.

A sample notification letter is enclosed. Should you have any questions regarding this matter or if we can be of any further assistance to the New Hampshire resident affected by this incident, please contact me at

Respectfully submitted,

Lael Bellamy

Lael Bellamy Of Counsel



December 21, 2023



Re: NOTICE OF DATA BREACH



We are writing to make you aware of a recent security incident that may have impacted your personal information.

WHAT HAPPENED? On November 28, 2023, The Switch became aware of unauthorized access to personal information on our systems. Upon discovery, we immediately launched an investigation, engaged third-party forensic experts and restored services. At this time, we do not know for certain whether or not your personal information was impacted. However, out of an abundance of caution, and since you are a current or former employee of The Switch, we are notifying you of the incident and providing identity theft protection services at no charge to you.

WHAT INFORMATION WAS INVOLVED? Personal information including

WHAT WE ARE DOING. Please know that protecting your personal information is something that we take very seriously. We apologize for both this unfortunate incident and any inconvenience it may cause you. We are providing notice and offering free credit monitoring services to individuals. If you believe your personal information was affected, please contact us so that we may pursue our investigation to the fullest extent of the law.

WHAT YOU CAN DO. The Federal Trade Commission (FTC) recommends that you remain vigilant by checking your credit reports periodically. Checking your credit reports can help you spot problems and address them quickly. You can also order free copies of your annual reports through www.annualcreditreport.com You should monitor your financial accounts for any suspicious activity. For more information about steps you can take to reduce the likelihood of identity theft or fraud, call 1-877-ID-THEFT (877-438-4338), visit the FTC's website at http://www.ftc.gov/bcp/edu/microsites/idtheft/ or write to: Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580. However, if you believe you are the victim of identity theft, you should immediately contact your local law enforcement agency, your state's attorney general, or the FTC. In addition, the National Cyber Security Alliance offers tips to protect yourself online at: https://staysafeonline.org/resources/online-safety-privacy-basics/

We have arranged for you to receive free credit monitoring services to help you protect your identity and credit information. If you choose to enroll, you will receive communications detailing any key changes to your credit reports. Your coverage will last for 12 months from the date of enrollment.

#### OTHER IMPORTANT INFORMATION.

## Contact Information for Consumer Reporting Agencies and Information on Credit Report Fraud Alerts

You may also choose to place a fraud alert on your credit file, which is free of charge to you and can be done with any **one** of the companies listed below (i.e., if you place a fraud alert with one company, they will automatically notify the others). A fraud alert tells creditors to contact you **before** they open any new accounts or change your existing accounts.

	Experian	Equifax	TransUnion
Phone	1-888-397-3742	1-800-525-6285	1-800-680-7289
Address	Experian Fraud Division	Equifax Consumer Fraud Division	TransUnion LLC
	P.O. Box 9554	PO Box 105069	P.O. Box 2000
	Allen, TX 75013	Atlanta, GA 30348	Chester, PA 19016
Online Fraud	https://www.experian.com/	https://www.equifax.com/personal/	https://www.transunion.com/
Alert Form	fraud/center.html	credit-report-services/	fraud-alerts

### **Information on Security Freezes**

In addition to a fraud alert, you may place a security freeze on your credit file. A security freeze will block a credit bureau from releasing information from your credit report without your prior written authorization. Please be aware that it may delay, interfere with, or prevent the timely approval of any requests you make for new loans, mortgages, employment, housing or other services. There is no charge to place, temporarily lift or remove a freeze.

To place a security freeze on your credit report, you may send a written request to <u>each</u> of the major consumer reporting agencies by mail or place a security freeze online by visiting <u>each</u> consumer reporting agency online. Written requests should include the following information: full name, Social Security number, complete addresses for the past two years, date of birth, a government issued identification card (such as a driver's license), and a copy of a utility bill or bank statement. Ensure that each copy is legible and displays your name, current mailing address and issue date. Changes made online are usually effective within an hour while changes made through the mail will take up to 3 days upon receiving your mailed request.

	Experian	Equifax	TransUnion	
Address	Experian Security Freeze	Equifax Security Freeze	TransUnion LLC	
	P.O. Box 9554	P.O. Box 740256	P.O. Box 2000	
	Allen, TX 75013	Atlanta, Georgia 30374	Chester, PA 19016	
Phone	1-888-397-3742	1-800-685-1111	1-888-909-8872	
Online Security	https://www.experian.com/	https://www.experian.com/	https://www.transunion.com/	
Freeze Form	freeze/center.html	freeze/center.html	credit-freeze	

**FOR MORE INFORMATION**. If you have any questions, please feel free to call 1-844-687-9163. We sincerely regret that this incident occurred.

Sincerely,

Stacie Kalafa Director of Human Resources



# Activation Code: Enrollment Deadline:

# Equifax Credit Watch™ Gold

\*Note: You must be over age 18 with a credit file to take advantage of the product

# **Key Features**

- · Credit monitoring with email notifications of key changes to your Equifax credit report
- · Daily access to your Equifax credit report
- WebScan notifications<sup>1</sup> when your personal information, such as Social Security Number, credit/debit card or bank account numbers are found on fraudulent Internet trading sites
- Automatic fraud alerts<sup>2</sup>, which encourages potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock<sup>3</sup>
- Identity Restoration to help restore your identity should you become a victim of identity theft, and a dedicated Identity Restoration Specialist to work on your behalf
- Up to \$1,000,000 of identity theft insurance coverage for certain out of pocket expenses resulting from identity theft<sup>4</sup>

# **Enrollment Instructions**

Go to www.equifax.com/activate					
Enter your unique Activation Code of	then click	"Submit"	and follow	these 4	steps:

### 1. Register:

Complete the form with your contact information and click "Continue". If you already have a myEquifax account, click the 'Sign in here' link under the "Let's get started" header. Once you have successfully signed in, you will skip to the Checkout Page in Step 4

#### 2. Create Account:

Enter your email address, create a password, and accept the terms of use.

# 3. Verify Identity:

To enroll in your product, we will ask you to complete our identity verification process.

## 4. Checkout:

Upon successful verification of your identity, you will see the Checkout Page. Click 'Sign Me Up' to finish enrolling.

## You're done!

The confirmation page shows your completed enrollment. Click "View My Product" to access the product features.

<sup>&</sup>lt;sup>1</sup>WebScan searches for your Social Security Number, up to 5 passport numbers, up to 6 bank account numbers, up to 6 credit/debit card numbers, up to 6 email addresses, and up to 10 medical ID numbers. WebScan searches thousands of Internet sites where consumers' personal information is suspected of being bought and sold, and regularly adds new sites to the list of those it searches. However, the Internet addresses of these suspected Internet trading sites are not published and frequently change, so there is no guarantee that we are able to locate and search every possible Internet site where consumers' personal information is at risk of being traded.

<sup>&</sup>lt;sup>2</sup>The Automatic Fraud Alert feature is made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC.

<sup>&</sup>lt;sup>3</sup>Locking your Equifax credit report will prevent access to it by certain third parties. Locking your Equifax credit report will not prevent access to your credit report at any other credit reporting agency. Entities that may still have access to your Equifax credit report include: companies like Equifax Global Consumer Solutions, which provide you with access to your credit report or credit score, or monitor your credit report as part of a subscription or similar service; companies that provide you with a copy of your credit report or credit score, upon your request; federal, state and local government agencies and courts in certain circumstances; companies using the information in connection with the underwriting of insurance, or for employment, tenant or background screening purposes; companies that have a current account or relationship with you, and collection agencies acting on behalf of those whom you owe; companies that authenticate a consumer's identity for purposes other than granting credit, or for investigating or preventing actual or potential fraud; and companies that wish to make preapproved offers of credit or insurance to you. To opt out of such pre-approved offers, visit www.optoutprescreen.com

<sup>&</sup>lt;sup>4</sup>The Identity Theft Insurance benefit is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company, under group or blanket policies issued to Equifax, Inc., or its respective affiliates for the benefit of its Members. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

#### **State-Specific Information**

If you are a resident of the following states, the following information applies to you.

For residents of Maryland, New York, North Carolina, and the District of Columbia: For information on how to avoid identity theft or to contact your state's attorney general, please use the below information.

Maryland Attorney General	North Carolina Attorney General
1-410-576-6491 https://www.marylandattorneygeneral.gov/ Attorney General of Maryland 200 St. Paul Place Baltimore, MD 21202	1-919-715-6000 http://www.ncdoj.gov and https://ncdoj.gov/protecting-consumers/identity-theft/ Attorney General's Office 9001 Mail Service Center Raleigh, NC 27699-9001
District of Columbia Attorney General	New York Attorney General
1-202-727-3400 https://oag.dc.gov Attorney General, District of Columbia 400 6 <sup>th</sup> Street, NW Washington, DC 20001	1-800-771-7755 https://ag.ny.gov/ Office of the Attorney General The Capitol Albany, NY 12224-0341

For residents of New Mexico: You have rights under the federal Fair Credit Reporting Act (FCRA). These include: the right to access information in your consumer file at a consumer reporting agency; to dispute incomplete or inaccurate information in your consumer file at a consumer reporting agency; to have consumer reporting agencies correct or delete inaccurate information in your consumer file; the right to block information in your consumer file that is the result of identity theft; and the right to have a fraud alert placed on your consumer file (as described above). For more information, please visit https://www.consumer.ftc.gov/ or https://www.consumerfinance.gov/learnmore/