BakerHostetler

Baker&Hostetler LLP

811 Main Street Suite 1100 Houston, TX 77002-6111

T 713.751.1600 F 713.751.1717 www.bakerlaw.com

Jennifer E. Costa direct dial: 713.646.1344 jcosta@bakerlaw.com

October 20, 2021

VIA E-MAIL (DOJ-CPB@DOJ.NH.GOV)

Attorney General John Formella Office of the Attorney General 33 Capitol Street Concord, NH 03301

Re: Incident Notification

Dear Attorney General Formella:

We are writing on behalf of our client, Toyo Tanso, USA ("Toyo Tanso"), to notify your office of a security incident involving one New Hampshire resident.

Toyo Tanso detected unauthorized access to certain devices in its network. Toyo Tanso immediately activated its incident response plan, took measures to stop the unauthorized access, and launched an investigation. A cybersecurity firm was engaged to assist with the investigation and determine the nature and scope of the incident. Through the investigation, Toyo Tanso identified unauthorized access to its systems between May 24-25, 2021.

On September 22, 2021, the investigation determined that personal information related to some individuals may have been accessed or acquired by an unauthorized actor during that time but was unable to determine whether the unauthorized actor actually viewed any of the information. Out of an abundance of caution, Toyo Tanso is notifying all individuals whose data may have been accessed. Toyo Tanso reviewed the files that may have been accessed or acquired and on September 22, 2021, identified one New Hampshire resident whose name and one or more of the following data elements may have been accessed: Social Security number, and/or financial account number.

On October 20, 2021, Toyo Tanso is notifying one New Hampshire resident via U.S. mail

October 20, 2021 Page 2

in accordance with N.H. Rev. Stat. Ann. § 359-C:20.¹ A copy of the notification letter is enclosed. Toyo Tanso is offering eligible individuals a complimentary one-year membership in credit monitoring and identity theft protection services through Experian. Toyo Tanso is providing a telephone number for potentially affected individuals to call with any questions they may have about the incident.

To help prevent this type of incident from happening again, Toyo Tanso is implementing additional measures to further enhance already exiting security protocols and is providing continued education and training to all employees.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

Jennifer E. Costa Counsel

Enclosure

¹ This report is not, and does not constitute, a waiver of Toyo Tanso's objection that New Hampshire lacks personal jurisdiction over the company related to this matter.



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

<<Date>>

Dear <</Name1>>:

Toyo Tanso USA is committed to maintaining the integrity and the security of the employee data that we receive and maintain. We are writing to notify you of a recent cybersecurity incident involving some of your data. This letter describes the incident, measures we have taken, details about the personal information of yours involved, and steps you may consider taking in response. We take this situation seriously and sincerely regret any concern that this may cause.

What Happened?

We detected unauthorized access to certain devices in our network. We immediately activated our incident response plan, took measures to stop the access and launched an investigation. A cybersecurity firm was engaged to assist with the investigation to determine the nature and scope of the incident. Through the investigation, we identified unauthorized access to certain personal information between May 24-25, 2021. After a thorough review, it was determined on September 22, 2021 that some of your information may have been accessed by the unauthorized actor.

What Information Was Involved?

The information involved included your <<variable data>>.

What We Are Doing:

We notified law enforcement and are fully cooperating with their investigation. We are also taking several steps to help prevent something like this from occurring again, including additional measures to further enhance our security protocols and continued education and training for our employees.

As a precaution, we are offering a complimentary one-year membership to Experian's® IdentityWorks Credit 3B. This product helps detect possible misuse of your personal credit information and provides you with identity protection services focused on identification and resolution of identity theft. IdentityWorks Credit 3B is completely free to you and enrolling in this program will not hurt your credit score. For more information on identity theft prevention and IdentityWorks Credit 3B, including instructions on how to activate the complimentary membership, please see the pages that follow this letter.

What You Can Do:

It is a best practice to remain vigilant by reviewing your account statements and credit reports for any unauthorized activity. We recommend that you immediately report any suspicious activity to your financial institution. As always, you should remain vigilant for incidents of fraud that may attempt to trick you into providing passwords or other information about yourself. We also encourage you to enroll in Experian IdentityWorks.

For More Information:

For more information on identity theft prevention and your complimentary services, as well as some additional steps you can take to protect your personal information, please see the additional information enclosed with this letter.

If you have any questions, please call 866-212-9494, Monday through Friday from 9 am to 9 pm eastern.

Sincerely,

1. Auris

Takuji Morita President Toyo Tanso, USA

Activate IdentityWorks Credit 3B Now in Three Easy Steps

- 1. ENROLL by: **<<Enrollment Deadline>>** (Your code will not work after this date.)
- 2. VISIT the Experian IdentityWorks website to enroll: <u>https://www.experianidworks.com/3bcredit</u>
- 3. PROVIDE the Activation Code: << Activation Code>>

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877.890.9332. Be prepared to provide engagement number **B019788** as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **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, Equifax and Transunion files for indicators of fraud.
- Experian Identity Works ExtendCARETM: You receive the same high-level of Identity Restoration support even after your Experian Identity Works membership has expired.
- \$1 Million Identity Theft Insurance**: Provides coverage for certain costs and unauthorized electronic fund transfers.

Activate your membership today at https://www.experianidworks.com/3bcredit or call 877.890.9332to register with the activation code above.

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at 877.890.9332.

* 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.

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit <u>www.annualcreditreport.com</u> or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- Equifax, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, <u>www.experian.com</u>, 1-888-397-3742
- TransUnion, PO Box 2000, Chester, PA 19016, <u>www.transunion.com</u>, 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

 Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), <u>www.ftc.gov/idtheft</u>

Toyo Tanso is located at 2575 NW Graham Cir, Troutdale, OR 97060 and can be reached by telephone at (503) 661-7700.

Fraud Alerts and Credit or Security Freezes:

Fraud Alerts: There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

Credit or Security Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

How do I place a freeze on my credit reports? There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- Experian Security Freeze, PO Box 9554, Allen, TX 75013, www.experian.com
- TransUnion Security Freeze, PO Box 2000, Chester, PA 19016, www.transunion.com
- Equifax Security Freeze, PO Box 105788, Atlanta, GA 30348, www.equifax.com

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 bureau will provide you with 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.

How do I lift a freeze? A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.